OBSERVATIONS

ON

Foreſtalling, Regrating, and Ingroſſing;

WITH

REMARKS AND REFLECTIONS

ON THE

COAL TRADE, &c.

ENTERED AT STATIONERS' HALL.

PRICE SIX SHILLINGS IN BOARDS.

OBSERVATIONS

ON THE

PERNICIOUS CONSEQUENCES OF

Foreſtalling, Regrating, and Ingroſſing,

WITH

A LIST OF THE STATUTES, &c.

Which have been adopted for the Puniſhment of thoſe Offences:

AND PROPOSALS

FOR NEW LAWS

TO ABOLISH THE SYSTEM OF MONOPOLY:

REMARKS

ON

The Impolicy of the Conſolidation of Small Farms:

THOUGHTS ON, AND ACTS RELATIVE TO,

THE COAL TRADE;

AS ALSO

On the Sale of Cattle at Smithfield, Contractors, Carcaſe and Cutting Butchers, Fiſh and Cheeſemongers, Poulterers, &c. with an Account of ſome Convictions of Regrators;

AND

REFLECTIONS

ON THE ACT LATELY PASSED FOR INCORPORATING

The London Flour, Meal, and Bread Company,

WITH VARIOUS NOTES, HINTS, &c.

BY J. S. GIRDLER, Esq.

In vain kind ſeaſons ſwell the teeming grain,
Soft ſhow'rs diſtill, and ſuns grow warm in vain!
Let riſing granaries and temples here,
There mingled farms and pyramids appear;
Link towns to towns with avenues of oak,
Enrich whole downs with corn—*'tis all a joke!*—
No wholeſome laws the *harpy band* reſtrain,
Who BARTER *public bliſs* for *private gain.*

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1800.

MVSEVM
BRITAN
NICVM

TO THE PUBLIC.

THE Author truſts that the view with which the following Work was written, when taken into conſideration, will plead for the defects of language, arrangement, &c. with the candid Reader;—and he hopes at leaſt, that his well-meant exertions will furniſh materials for abler and wiſer men to improve and act upon;—many of the hints and obſervations were furniſhed by that truly benevolent and pious Prelate Dr. WARREN, *the late Lord Biſhop of* Bangor, *whoſe friendſhip in that, and on many other occaſions, demands this tribute of grateful acknowledgement.*

HARE-HATCH, BERKS,
OCT. 16, 1800.

TO THE PUBLIC.

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INTRODUCTION.

THAT the Public have long ſuffered, and very lately moſt ſeverely, by the enormous prices of all the neceſſaries of life, is a fact atteſted by dreadful notoriety, and lamentable experience. To whatever cauſe this ſcourging evil was, and is, to be attributed, humanity muſt deplore the diſtreſs and wretchedneſs ſo recently diffuſed by it over our common country; and which ſtill continues, though not in ſo great a degree, to be very ſenſibly felt. If the Author of the following ſtatements (who has for years ſpared neither labour nor expence to trace this calamity to its ſource) could have entertained even a belief that Heaven, in its inſcrutable diſpenſations, had withholden from man the common bleſſings of Spring time and Harveſt, he would have been the firſt to have recommended, and exemplified, ſubmiſſion to the decrees of Providence; but poſſeſſing, as he does, vouchers the moſt authentic, and evidence the moſt complete, to prove that the avarice of man has intercepted the bounty of his Maker, he feels it a duty he owes to his country, to deſcribe our real ſituation, and the nature of the remedy which it appears to him to require.

The general and extreme diſtreſs of the Poor, occaſioned by the high price of bread, and other neceſſary articles of life in the year 1795, and great part

of 1796, though very ſhort of that felt in the ſtill more calamitous period we have ſo lately experienced, made a deep, melancholy and laſting impreſſion upon his mind. His ſituation as a Magiſtrate conſtantly furniſhed him with opportunities of witneſſing the ſufferings of the lower claſſes, and he felt it a duty he owed to his ſtation, and to his country, to aſcertain, if poſſible, the real cauſes of a ſcarcity ſo uncommon and alarming. For this purpoſe he conſulted with men of integrity and knowledge on the ſubject, who agreed with him in opinion, that to the conſolidating of Farms, and the practices of unfeeling and rapacious Speculators, Foreſtallers, Regrators, and Engroſſers, the national diſtreſs was in a great meaſure to be attributed. To check ſuch inhuman and oppreſſive practices, as far as the power of an individual could extend, he, in the ſummer of the year 1795, advertiſed in different Provincial Newspapers rewards for the detection of Foreſtallers, Regrators, and Engroſſers; and ſoon diſcovered ſuch inſtances of ſhocking depravity, as left no doubt on his mind, that we were puniſhed by their avarice, and not by the deficiency of unproductive harveſts. The ſame illegal and wicked practices prevailed in the winter and ſpring of the preſent year 1800, as did in 1766, 1772, 1786, 1795, and 1796; and that they have lately been carried to a moſt alarming extent, the recent trials and convictions of ſome of the offenders abundantly prove. But happily, theſe convictions, and the proſpect of an abundant harveſt, have already,

in ſome degree, leſſened the effects of the evil, and give us reaſon to hope, that future proſecutions and ſalutary examples, will at length relieve us from every poſſibility of an artificial famine.

The word *Scarcity*, is indeed of dreadful import in general eſtimation, but it ought not to be forgotten, that it is muſical in the ear of a graſping monopoliſt.—Not indeed that theſe men are by nature worſe than others, but the certainty of a ready market, and the immenſe gains ariſing from monopoly, are temptations too ſtrong to be reſiſted by any ſet of men, influenced by the ſelfiſh ſpirit of trade, and unreſtrained, as they ſome time ago fancied themſelves to be, by the laws of their country. The monied dealers of former times would, no doubt, have alſo ruled the markets, in their day, had they not been very powerfully reſtrained. But our anceſtors were much leſs indulgent to Foreſtallers, Regrators, and Engroſſers, than their deſcendants. From the 31ſt of Edward I. to the 12th of the preſent reign, the laws againſt ſuch offenders were ſummary and ſevere. And hence it was, that the bounties of Heaven could not then in any conſiderable degree be intercepted; nor could unprincipled men, as in our time, rapidly accumulate fortunes, by the miſeries and wretchedneſs which their avarice inflicts on humanity. It is true, that in all ages ſelf intereſt has been the predominant paſſion of the human mind, nor can any law change the bent of our nature. It is not the province of any human legiſlation, nor within its power,

to make men good; but it *can*, and *ought*, to provide checks to the depravity of the bad, by holding out every poſſible diſcouragement to vice and wickedneſs. It was thus that our forefathers, through a ſeries of generations, conſtantly felt and acted towards Foreſtallers, Regrators, and Engroſſers; and, happily for us, their deſcendants, though ſome of their provident ſtatutes have been repealed, the Common Law of the Land yet remains in full ſtrength and vigour.

The Author thinks it unneceſſary to add more, either by way of Apology or Introduction to the following ſheets, ſo far as they relate to Foreſtallers, Regrators, or Engroſſers, or the late unprecedentedly high prices of Corn and other neceſſaries, than juſt to obſerve, that, on receipt of a Copy of his Grace the Duke of Portland's Circular Letter to the Lords Lieutenants of the ſeveral Counties, dated the 28th of October, 1795, on the ſubject of procuring "An Account of the produce of the (then) late crop of the ſeveral articles of Grain grown in each County, comparing the ſame with the produce of a fair crop of every ſuch article of Grain in common years, and with the produce of the crop of 1794, of every ſuch article of Grain;" and which was ſent to the Author as a Magiſtrate for the County of Middleſex; he conſidered it as his duty, when in London, to attend the Meetings of the Juſtices of the Peace on that occaſion, at the Seſſions-houſe, Clerkenwell-green. He did ſo, and was not a little mortified to obſerve, that moſt of the perſons, who attended to

give information to the Juſtices on the ſubject, were Farmers, Corn and Flour-dealers, and Bakers, who appeared to him to anſwer the queſtions put to them as beſt ſuited their own intereſts. Convinced that a return of the quantity of Corn in the County made from ſuch evidence muſt be extremely fallacious and much too low; and not doubting that the returns of other Counties would be influenced by teſtimonies of a like nature, the Author, from that moment, redoubled his efforts and enquiries, reſolved to ſpare neither trouble nor expence to aſcertain the real facts. And the reſult of his enquiries and labours, ſo far as they relate to wheat and other grain; and likewiſe, as relating to the ſeveral other neceſſaries of life, he has endeavoured to ſtate, fairly and candidly, in the following Sheets, without partiality or diſguiſe on the one hand, or prejudice on the other.

CHAPTER I.

Of the evil tendency of the preſent exorbitant prices of all the Neceſſaries of Life, as affecting, not only the Poor, but likewiſe other claſſes of Society, and even the Government itſelf.

THAT the poor are the greateſt ſufferers by the high prices of proviſions and neceſſaries is a fact moſt indubitable; with them exorbitant prices operate as prohibitions, and deprive them of the means of ſubſiſtence. But, are the poor the only ſufferers? Certainly not. It will appear, on peruſing ſome of the facts and ſtatements contained in the following pages, that within the laſt twenty-five or thirty years, the prices of the neceſſaries of life, one with another, upon an average, have been trebled; or, in other words, that *one* guinea, *twenty-five* or *thirty* years ago, would go as far in houſe-keeping as *three* guineas will at the preſent time;* conſequently, that an income of 50l. per annum, twenty-five or thirty years ago, was equal to an income of

* This was written in the beginning of the month of June 1800, ſince which time the prices of proviſions have, from the proſpect of the preſent harveſt, and the late proſecutions of certain Foreſtallers, Regrators, Engroſſers, and other offenders, ſomewhat fallen, and will probably continue to fall till ſometime after the harveſt; but at the commencement of the winter, or perhaps ſooner, unleſs ſuch offenders are ſtrictly watched, they will put them up again.

150l. per annum at preſent; that an income of 100l. per annum then was equal to 300l. per annum now; that 200l. per annum at that time was equal to 600l. per annum at this; and ſo, in proportion, as to other incomes. Hence it follows, that any income not exceeding 600l. per annum, whether ariſing from induſtry, trade, a public office, money in the funds, or in any other manner, is now, by the increaſed prices of all the neceſſaries of life, and the conſequent expences of houſe-keeping, reduced to one *third* of what it was in value twenty-five or thirty years ago; ſo that, whether a perſon lives by his labour, or the produce of any trade or buſineſs, or is a gentleman or lady of ſmall fortune (that is, any fortune not exceeding 600l. a year) every one of theſe claſſes of people, within the laſt twenty-five or thirty years, merely by the accumulated prices of the neceſſaries of life, and the expences of houſe-keeping, have had their incomes reduced to *one-third* of their value; and *one guinea now* is no more, that is, will go no farther in houſe-keeping, than *ſeven ſhillings* would do twenty-five or thirty years ago.

Perſons of ſmall fortune or income do well when they pity and relieve the poor. It ſhews humanity, and a moſt laudable diſpoſition, and is fulfilling one of the firſt duties of Chriſtianity; they likewiſe have the motive of a fellow-feeling to enforce this duty; for, ſo rapid of late has been the riſe of all neceſſaries, that it is difficult for perſons, not poſſeſſed of large fortunes, to ſay, how long it may be before they themſelves may ſtand in need of charity; for the once independent

tradeſman, gentleman or lady, of ſmall fortune, are every day ſinking lower and lower into the vale of poverty, by the enormous increaſe of all the neceſſaries of life. None are exempt from this misfortune but perſons of large property; except farmers and dealers, and traffickers in the neceſſaries of life, who are fattening at the expence of every other deſcription of their fellow-creatures. But, though it has taken about twenty-five or thirty years for theſe miſfortunes to arrive at their preſent magnitude, the evil has not gradually increaſed by regular degrees of progreſſion; but the greateſt part of it has been produced within the laſt five years; even within that time a *guinea* is reduced to the value of *half*-a-guinea or leſs, and conſequently all incomes and ſmall fortunes are within that ſhort ſpace, reduced to half their value.

If, therefore, the conſolidating ſmall farms into large ones, and the evils of Foreſtalling, Regrating, Ingroſſing, Monopolizing, Jobbing, and Middle-dealing, contracting for growing crops on the ground, or before they are ſown; ſuffering dealers in Butter, and Cheeſe, in London, and other large towns; to contract for the whole produce of dairies in the grazing counties, for years together, and which they call their *own dairies*, and other miſchiefs of a ſimilar kind, are permitted to continue, the conſequences muſt be dreadful in the extreme; for to theſe practices all the evils before ſpoken of are to be attributed, as will more clearly appear by an attentive peruſal of the following pages.

And it is reſpectfully ſubmitted to thoſe whom it moſt concerns, that even the Government itſelf is moſt ſeriouſly intereſted in the cure of theſe enormities. The moſt productive taxes are ſuch as are the moſt univerſal ; ſuch as affect the neceſſaries of life, and are paid by the multitude at large. And hence, the injunctions in Holy Writs, " Thou ſhalt not muzzle the ox that treadeth out the corn ; thou ſhalt not oppreſs the poor ;" and others to the ſame import, with which the Holy Scriptures abound, are not leſs political than humane. Were the prices of all the neceſſaries of life kept within moderate bounds, taxes might be raiſed to a much greater amount than thoſe at preſent paid, and yet would not be felt ſo much as the preſent high prices of proviſions, by the lower and middle ranks, who conſtitute the bulk of ſociety, and from whom the greater part of the public reſources muſt neceſſarily be derived. There is, likewiſe, another ſtrong reaſon why the price of the neceſſaries of life ſhould never be ſuffered to be exceſſive, eſpecially in a manufacturing country; for, if they are, that country will, ſooner or later, be underſold at foreign markets, by ſome rival nation, where the neceſſaries of life, and, conſequently, the price of labour are cheaper. If, to prevent this, the wages of the workmen ſhall be kept down, and themſelves reduced to abject poverty, they can no longer conſume their ſhare of the neceſſaries of life, eſpecially of ſuch neceſſaries as pay duties or taxes, to the irreparable loſs of the revenues and reſources of the nation.

CHAP. II.

Containing the Arts *made uſe of by* Farmers, *and* Dealers *in* Grain, *to* miſlead *the* Public, *with reſpect to the Crops of Corn, both in* wet *and* dry *ſeaſons; and proving that the Harveſt of* 1799, *was far from being deficient; and that the* ſcarcity *ſince, was, and is, merely* artificial.

IN the month of Auguſt of the year 1799, perſons travelling in various parts of the kingdom bore teſtimony to the pleaſing appearance of grain in general, particularly wheat, which promiſed a plentiful harveſt.* And after the harveſt had commenced the crop was generally reported, and commonly underſtood to be good; and even the Farmers and Corn-dealers themſelves acknowledged it for a time. But they ſoon reſorted to thoſe common-place barefaced aſſertions, with which they have amuſed the Public for a ſeries of years. Of theſe aſſertions they have two kinds, one calculated for wet and the other for

* The Author in his Letter, dated the 12th of Auguſt 1799, inſerted in the Reading Mercury, and which afterwards found its way into many other Papers (amongſt ſundry other obſervations) took occaſion to remark on the report of ſeveral intelligent and reſpectable Gentlemen, confirmed by obſervations in the other provincial papers, "That the appearance of the growing crops in general, afforded the moſt pleaſing proſpect of a productive harveſt:" And this was ſo true that none but intereſted perſons doubted the fact.

dry ſeaſons. Has the ſeaſon and the harveſt been dry? They tell you that the corn has been parched and burnt up before it was reaped, and affect to lament that after it was reaped, no rain had fallen to plump it up, and cauſe it *to fill the buſhel.** Has the ſeaſon and harveſt been wet, as the ſeaſon and harveſt of 1799 were? They carefully avoid ſaying any thing about the neceſſity of rain to *fill the buſhel;* and tell you that the corn has been beaten down and lodged by the rain before reaping it, and when reaped lay ſo long on the ground as to ſpindle and grow out, and thereby became ſpoiled; that much of it in the low and fen lands had been waſhed away by the floods or rotted under them; and finally when they come to thraſh it, they ſay that the little which eſcaped all theſe diſaſters has plenty of ſtraw, but with ſcarce any corn in it. That corn on low and damp lands is, in a wet ſeaſon, ſubject in ſome degree, to ſuch miſfortunes, is a fact not to be denied; but the high and dry lands always over pay the deficiency of the low lands; and hence the old Engliſh Proverb—

Whenever the *hill* aſſiſts the *dale,*
There is abundance of corn for ſale.

The prices were kept up, and almoſt daily enhanced by the artifices and unwarrantable practices of overgrown farmers and dealers in grain, during all

* Should the preſent dry ſeaſon, and excellent harveſt weather, continue our ears will be dinned, and newſpapers filled with paid-for paragraphs of this common place traſh, againſt the dry ſeaſon, ſoon after the new grain begins to be thraſhed out and ſold.

the laſt winter, and even nearly up to the commencement of the preſent harveſt. Inſomuch that, in the month of July, it was 40l. per load upon an average, in moſt parts of the kingdom; and on the 5th of the ſame month it ſold in Reading Market at the amazingly high price of 164s. per quarter, or 41l. the load. About this time the falſe and alarming cry of ſcarcity which had deluded the people, and even the Government itſelf, for ſeveral months before, was renewed with redoubled force. The Farmers, Cornfactors, and Monopoliſts of grain, throughout the kingdom, conſcious that they had large hoards by them, and that the importations continually flowing in, and the proſpect of a fine and abundant harveſt, muſt ſoon reduce the prices, reſolved to make a laſt effort. They all joined in a general declaration that the ſcarcity was extreme, that there was not corn enough in the nation to ſerve till the harveſt, and that before the new grain could be thraſhed, and brought to market, wheat would be 50l. per load. This was their *public* cry, but, knowing the very reverſe to be the fact, each of them *privately*, and individually, and *very prudently*, reſolved to take care of himſelf.

The Monopoliſts, many of whom had purchaſed imported corn, to prevent its coming to a fair market, and lowering the price of the large hoards of Engliſh wheat they had before ſtored up, began to bring ſome of their corn, both Engliſh and foreign, to market: and the Farmers, from the ſame motives, began to thraſh and bring to market ſome of

their's alſo, ſo long hoarded up in granaries, mows, and ſtacks. In ſhort, the ſame principle of avarice, and deſire of inordinate gain, which before was the cauſe of withholding the grain, now operated in bringing it forward, each avaricious individual ſtriving to get the ſtart of the other of them, and obtain the beſt price poſſible, before the fall ſhould be general. The ſcarcity which many perſons, and even the Government itſelf before thought *real*, was now proved to be merely *artificial*; and that, by the beſt and cleareſt of all poſſible evidence, the production, by the farmers, of more corn at the markets than had been known for a long ſeries of years.* Inſomuch, that on the 17th July, 1800, upwards of ſixty waggons, laden with wheat, entered the town of Devizes in Wilts, through one turnpike; and fifty-ſix ſample ſacks of Engliſh wheat were pitched in Newbury market on the 17th; and one hundred and twenty on the 24th of the ſame month; though it had ſcarcely ever been known at the ſame ſeaſon of the year, that more than twenty ſample ſacks were pitched in that market. On the 26th, wheat fell in Reading market thirty-five ſhillings per quar-

* This ſhows how fallacious the returns made to Government of the quantities of corn in the different diſtricts were, and proves that farmers, clergymen poſſeſſing tythes, and capital corn-dealers are, by no means, the likelieſt perſons to give the moſt correct information on ſuch occaſions. But, if reapers, thraſhers, labourers, waggoners, and foremen to farmers, toll-collectors, and ſervants to millers, mealmen, and corn-dealers, and not their intereſted maſters, were queſtioned on ſuch ſubjects, by perſons properly authoriſed, ſatisfactory returns might be obtained.

ter, and a farmer ſold a load for 11l. 10s. leſs than he was offered for it on the then laſt market-day. A baker, at Devizes, on the 24th, purchaſed a quantity of wheat at 17s. per ſack leſs than he offered for the ſame corn the preceding week; and, in general, throughout the kingdom, the markets were overcharged with corn, the prices of which were rapidly ſinking.

CHAP. III.

Methods taken by the Author, in June laſt, to diſcover whether or not the opinion of many, that immenſe Quantities of Wheat were hoarded in Warehouſes on both ſides of the River Thames, in Ships on the River, and in uninhabited Houſes in London, and other parts of the Kingdom, was well founded; and the reſult of his Labours and Inquiries.

To aſcertain the truth or fallacy of the opinion which prevailed in the month of June laſt, that large quantities of Grain were hoarded in warehouſes on both ſides of the River Thames, the Author took many excurſions up and down the River, at different times, to make inquiries. At firſt he met with conſiderable difficulties, but theſe he at length ſurmounted by means of trifling ſums, which he beſtowed on workmen and labourers, employed about the warehouſes and ſhips, whom he found could give information, but at firſt were backward in doing ſo; though many others of them voluntarily declared all they knew upon the ſubject, without any other inducement than their abhorrence of the buſineſs by which neceſſity compelled them to get their bread. From the information of theſe perſons as far as reſpects warehouſes and uninhabited houſes, and as reſpecting ſhipping from Cuſtom-Houſe Officers,

perſons belonging to the Eaſt-India Company, watermen, lightermen, carriers, and others; and by obtaining admiſſion himſelf into ſome of the warehouſes and ſhips, he was enabled to obtain a liſt of a great number of warehouſes, on both ſides of the River Thames, and of ſhips and barges on the River, as well as of uninhabited houſes in various parts of London and its environs, many of them filled with flour, and the reſt with wheat. And by means of Friends and Correſpondents, and certain journies taken by himſelf, he obtained a like liſt of warehouſes, and uninhabited houſes filled in like manner, in ſome other large trading towns. Such liſts, however, from motives of delicacy, and to conceal the names of perſons concerned, and particular ſituations of premiſes, he forbears to publiſh, leſt the pointing them out to the public at large ſhould excite to any outrage. He is, however, ready to produce his vouchers for the ſatisfaction of any reſpectable perſon, whom curioſity may induce to apply to him, in perſon, at his Chambers in Clement's-Inn, or at his houſe at Hare-Hatch, near Maidenhead, Berks. But, for the reaſons juſt mentioned, his Readers will excuſe his being more particular here, than adding the following general account of his diſcoveries on this head, (viz.)

UP THE RIVER,

From London Bridge to Nine Elms, both on the Middleſex and Surry ſides of the River, he found a great number of warehouſes and many uninhabited

houſes filled with wheat; and various mills, ſome of them worked by ſteam, and all of them having extenſive warehouſes containing flour and wheat; and from ſome of which, his informants aſſured him, large quantities of wheat and flour were frequently taken and conveyed away in the moſt private manner.

DOWN THE RIVER,

From London Bridge, extending for miles downwards on the Middleſex and Eſſex, and alſo on the Kentiſh ſide of the River, the Author found a greater number of warehouſes, and many of them of much larger dimenſions, than thoſe above Bridge, and all completely ſtored with grain, principally wheat. From many of thoſe warehouſes great quantities of wheat were daily taken, put into craft, and ſecretly conveyed elſewhere. A number of ſhips were continually arriving in the River from Dantzick, Pruſſia, Sweden, Denmark, and other places, laden with cargoes of wheat. Many had been lying there a conſiderable time, the owners not being able to break bulk, for want of repoſitories, of any kind, to depoſit their cargoes of grain. And from the information of a Coal-Merchant, the Author learnt that he, having coals in the Pool, could not hire a boat or craft of any kind to convey them up the River; ſo buſily employed were the lighters, barges, and boats, in carrying grain. And he declared that many other Coal-Dealers, as well as himſelf, laboured under the ſame inconvenience, and from the ſame cauſe. Barge and lighter loads of flour in barrels, taken from the

mills and mill warehouſes, and other repoſitories, *and ſaid* to be for the uſe of Government, were daily put on board different veſſels, and were to be ſeen on all parts of the River, eſpecially below Bridge, which the watermen, lightermen, and carriers, informed the Author, were conveyed in ſuch large quantities, that it was the general opinion of themſelves and other perſons conſtantly employed on the River, that it could not be *all* for Government uſe, but that much of it muſt be ſent where it ſhould not.

Corn in many of the granaries and warehouſes on the River, both above and below Bridge, is repeatedly ſold to different perſons, who ſell it again; and each ſucceſſive purchaſer ſometimes places a ſtick *or* mark, denoting it to be his property.

AT OTHER LARGE TRADING TOWNS,

By journies and excurſions taken by himſelf, and Inquiries made by the Author and his Friends and Correſpondents, in different parts of the kingdom, he found that not only in London, but likewiſe at Briſtol, Liverpool, and other parts of the kingdom, warehouſes and uninhabited houſes, were filled with flour, wheat, and other grain.

N. B. In the time of ſcarcity in 1795, and beginning of the year 1796, the Author alſo made like Excurſions and Inquiries up and down the River Thames, and in other places; and found the ſtate of the warehouſes much the ſame, as on his above-mentioned Inquiries in June laſt.

CHAP. IV.

On the pernicious Effects of conſolidating ſmall Farms *into* large ones; *as deſtroying the Population of the* Peaſantry, *the* moſt *healthful* and *valuable part of a nation*;—*and leſſening the* Quantum, *and, in conſequence*, advancing the *prices*, of all the Neceſſaries of Life.

EVERY one, who has not participated in the illegal practices, by which the prices of the neceſſaries of life have ſo long been advanced and kept up, muſt rejoice at the proſecutions which have at length taken place againſt many of the criminals; and on which ſome of them have been already convicted. And to the immortal honour of Lord Chief Juſtice Kenyon, and the other Judges and Magiſtrates, before whom the convicted offenders were tried, the law hath been ſo uprightly adminiſtered, and we have ſeen the ſtreams of juſtice run ſo pure, and ſo clear, that we have every reaſon to expect all the redreſs and ſecurity, which the laws, as they now ſtand, can afford us.

But there is another Evil of the utmoſt magnitude, and pregnant with the moſt ſerious miſchiefs, to which the exiſting laws do not ſufficiently extend; and that is the fatal practice of conſolidating *ſmall Farms* into *large ones*.

To this baneful and deſolating purſuit, rich and opulent farmers ſeem, in all ages, to have had a ſtrong inclination. Far from being an invention of modern times, we learn, from the ſacred page of holy writ, that it was *practiſed* amongſt the antient Hebrews: and the Prophet Iſaiah pronounces a *woe* upon it in theſe words.—" *Woe unto them* " *that join houſe to houſe, that lay field to field,* " *till there be no place, that they may be placed* " *alone in the midſt of the Earth.*"* And there are divers others paſſages in the Old Teſtament to the ſame effect. And in the New one our SAVIOUR himſelf, in one of his *ſublime* and *beautiful Parables*, ſpeaks of an opulent land-holder who ſaid within himſelf, " *I will pull down my Barns and* " *build greater.*" But he did not *live* to complete it; for " *God ſaid unto him—Thou fool,* " *this night thy ſoul ſhall be required of thee.*"†

Some of our own countrymen likewiſe in very early times began to lay *houſe to houſe and field to field*, and it had arrived to ſuch a pitch, and was attended with ſuch direful conſequences, ſo long ago as the reign of King Henry VIII. that an act was then paſſed to reſtrain it.

As the preamble or recital of this act is, in many reſpects, a pretty correct picture of the *preſent times*, it here follows at full length, together with ſhort extracts of the enacting clauſes, contained in it, by way of remedy:

* Iſaiah, Chap. v. verſe 8.

† Luke, Chap. xii. verſes 16, 17, 18, 19, and 20.

Act 25. Henry VIII. c. 13.—Recites that, "Foraſmuch as divers and ſundry Perſons of the "Kings ſubjects of this realm, to whom God of "his goodneſs hath diſpoſed great plenty and "abundance of moveable ſubſtance, now of late "within few years have daily ſtudied, practiſed, "and invented ways and means how they might "accumulate and gather together into few hands, "as well great multitude of Farms as great plenty "of Cattle, and in eſpecial ſheep, putting ſuch "lands as they can get to paſture, and not to "tillage, whereby they have not only pulled down "Churches and Towns, and enhanced the old rates "of the rents of the poſſeſſions of this realm, or elſe "brought it to ſuch exceſſive fines, that no poor "man is able to meddle with it, but alſo have "raiſed and enhanced the prices of all manner of "Corn, Cattle, Wool, Pigs, Geeſe, Hens, Chickens, "Eggs, and ſuch other, almoſt double above the "prices which have been accuſtomed; by reaſon "whereof a marvellous multitude and number of "the People of this realm be not able to provide "Meat, Drink and Clothes neceſſary for themſelves, "their wives and children, but be ſo diſcouraged "with miſery and poverty, that they fall daily to "theft, robbery and other inconveniences, or "pitifully die for hunger and cold; and as it is "thought by the King's moſt humble and loving "Subjects, that one of the greateſt occaſions that "moveth and provoketh thoſe greedy and covetous "people ſo to accumulate and keep in their hands

" ſuch great portions and parts of the Grounds and
" Lands of this realm from the occupying of
" the poor Huſbandmen, and ſo to uſe it in paſture,
" and not in tillage, is only the great profit that
" cometh of Sheep, which now be come to a few
" perſons hands of this realm, in reſpect of the
" whole number of the King's ſubjects, that ſome
" have four-and-twenty thouſand, ſome twenty
" thouſand, ſome ten thouſand, ſome ſix thouſand,
" ſome five thouſand, and ſome more, and ſome
" leſs; by the which a good Sheep for victual,
" that was accuſtomed to be ſold for two ſhillings
" four-pence, or three ſhillings at the moſt, is now
" ſold for ſix ſhillings, or five ſhillings, or four
" ſhillings at the leaſt; and a ſtone of clothing
" Wool, that in ſome Shires of this realm was ac-
" cuſtomed to be ſold for eighteen-pence or twenty-
" pence, is now ſold for four ſhillings, or three
" ſhillings four-pence at the leaſt; and in ſome
" countries where it hath been ſold for two ſhil-
" lings four-pence, or two ſhillings eight-pence,
" or three ſhillings at the moſt, it is now ſold for
" five ſhillings, or four ſhillings eight-pence the
" leaſt, and ſo are raiſed in every part of this
" realm; which things, thus uſed, be principally
" to the high diſpleaſure of Almighty God, to the
" decay of the hoſpitality of this realm, to the
" diminiſhing of the King's people, and to the let
" of the Cloth-making, whereby many poor people
" have been accuſtomed to be ſet on work; and
" in concluſion, if remedy be not found, it may turn

" to the utter deſtruction and deſolation of this " realm, which GOD defend."

It then enacts—For the preventing many farms being accumulated into a few hands, and for the encouragement of tillage, that no perſon ſhall have above 2,000 ſheep at one time, at ſix ſcore to the hundred, except it be upon his own inheritance only, and except what are neceſſary for his houſehold; on pain of forfeiting 3s. 4d.* for EVERY ſheep above that number, *half to the King, and half to him that will ſue.*

And if any perſon ſhall happen to have more, by reaſon of being executor, or adminiſtrator, he ſhall ſell off within a year, till he has but 2,000.

But ſheep bequeathed to a child within age, ſhall not be reckoned in the number.

And lambs are not to be reckoned ſheep, till the ſecond *Midſummer* after they are lambed.

And the Juſtices of the Peace may enquire of this offence by a Jury, or by information.

It alſo, for the ſame reaſon, enacts,—" that no perſon ſhall take above two farms with houſes thereon; nor ſhall any perſon have two, except he dwell in the pariſh where they both are, on pain of 3s. 4d.† *a*

* At preſent ſome perſons poſſeſs great numbers of ſheep above 2,000, and, as this Act has never been repealed, it is pity it was not enforced. It would be doing a great ſervice to the public, and one half of 3s. 4d. for each ſheep, where the number is large, is no mean penalty, and ſufficient to encourage proſecutions.

† 3s. 4d. *now* is but a ſmall ſum, yet 3s. 4d. a week for a ſeries of weeks together, would (if enforced) in ſome meaſure, operate as a

week—half to the King, and half to him that will ſue."

Happy would it have been for this country if this moſt wholeſome and ſalutary Act had, in all ſucceeding times after it was paſſed, been ſtrictly enforced; but unfortunately, though it ſtill remains unrepealed, it has for a long ſeries of years paſt been neglected and ſuffered to fall into diſuſe. It may however yet be put in force, and it is to be hoped it will be ſo; or if not, that ſome other more efficient law, to the ſame good end, will ſpeedily be enacted.

For want of the operation of this excellent ſtatute, or ſomething elſe of a like nature, the conſolidating ſmall farms into large ones has ſo rapidly increaſed within the laſt ſixty years, and more particularly within the laſt thirty years, that hundreds of villages, which formerly contained from twenty to thirty, and even up as high as from forty to fifty ſmall farms, or more, are now entirely ſwallowed up, and merged, in one or two large farms.*

Sixty years ago many thouſands of ſmall Far-

cure for the evil. Though certainly the miſchief ſhould be reſtrained by ſome ſeverer law.

* Perſons who only viſit London and other large towns, and travel from one town to another, by direct turnpike roads, are apt to imagine that the population of the kingdom is increaſed, becauſe London, and moſt other large towns, are increaſed, and, from more frequent travelling than formerly on the great and direct roads, new buildings are erected on ſuch roads; and this has miſled ſome, otherwiſe, well-informed men. But whoever will travel acroſs the country in bye roads, leſs frequented, and will take the pains to enquire, as the Author has done, of the ancient inhabitants, will find, in numberleſs

mers, poſſeſſing many of them not more than twenty or thirty acres of land, and many others not more than ten, and ſome even leſs, maintained large families upon their ſmall poſſeſſions, which were all manured and cultivated like ſo many gardens. There were at that time, it is true, ſome much larger farms, but they were very few in number compared with the ſmall ones. And though there were even then ſome exceptions in particular parts of the country, yet, generally ſpeaking, ſo far as reſpected corn farms, 40l. or 50l. a year was looked upon as a very conſiderable farm, and 100l. a year a large one.* Thoſe happy times, though frequently trenched upon, and falling off by degrees, continued, in ſome meaſure, till within theſe laſt thirty or forty years; for though many of the ſmall farms, ſuch as of 10*l.* 15*l.* and 20*l.* a year, were more than thirty years ago ſwallowed up, and converted into larger farms; and many higher rented farms, ſuch as of 30*l.* 40*l.* and 50*l.* a year, had been unfortunately conſolidated into farms of 100*l.* or 200*l.* and even 300*l.* a year; yet thirty years ago there were few corn farms in the nation, generally ſpeaking, which much exceeded 200*l.* or 300*l.* a year, and even of them there were ſo few, that

inſtances, that where there are now only one or two large farm-houſes there were formerly chearful villages inhabited by induſtrious huſbandmen; and will have no reaſon to doubt that what London, and other large towns have gained in population, has been more than loſt in the country.

* Theſe, and the following obſervations in this chapter, reſpect corn farms, and not graſs or grazing farms.

they bore but a ſmall proportion, in number, to farms of from 40*l.* to 60*l.* a year.

It muſt, however, be confeſſed, that the baneful practice of conſolidation prevailed ſo much, and had been carried to ſuch extent in ſome counties,* even thirty years ago, that ſome few farms were, even at that time, to be found of the yearly rent of 500*l.* and ſome, but very few indeed, as high as 1,000*l.*— But ſuch large farms were then ſo rarely to be found, that a man who poſſeſſed a farm of about 60*l.* or 80*l.* a year, was looked upon as a very reſpectable, and one who occupied 100*l.* or 150*l.* a year, a large farmer; and a very great majority of farms even then remained, of much leſs yearly rents, ſuch as 50*l.* 40*l.* 30*l.* and even as low as 20*l.* a year, and lower. But the ſame ruthleſs practice of conſolidation which had before abſorbed many of the ſmall farms, and ſwallowed them up in large ones, has been nouriſhed ſince, and extended into diſtricts in which it was before unknown; and is at length become ſo general, that in moſt places what would thirty years ago have been deemed a very large farm is now conſidered as little or nothing; and it is become very common for one man to occupy as

* What is contained in this Chapter, as reſpecting the ſizes and conſolidation of the ſmall farms from ſixty down to thirty years ago, was collected by the Author from ancient country perſons, who had themſelves occupied ſmall farms, on his journies in different parts of the kingdom; and as to what has happened within the laſt thirty years, from like information, confirmed by his own ocular experience.

much land as ought to be in the poſſeſſion of twenty.

Let us now conſider the conſequences of this conſolidation, this monopoly of the cultivation and produce of the lands.

When they were in ſmall farms, and occupied by a numerous peaſantry, forming villages, now no more, the healthful and induſtrious inhabitants had the ſtrongeſt of all poſſible inducements to manure them properly, and cultivate every inch in regular ſucceſſion and due ſeaſon. The very ſubſiſtence of each induſtrious cultivator and his family depended on it; each of them kept as many cattle, particularly Cows, Sheep, and Pigs, as his ſmall territory, devoting a proper portion of it to the production of corn, would admit of; and, by keeping ſo many cattle on ſuch ſmall tracts of land, great quantities of manure were produced, and their land thereby abundantly enriched.

The ſmall Farmer, then, had no ſlender dependance on the ſale of his poultry, which, under the foſtering care of his induſtrious wife and daughters, was produced in great plenty; and, ſo different were they from the wives and daughters of modern Farmers, that they were not aſhamed to carry it to market; but now, ſince theſe induſtrious people have been turned out of their poſſeſſions, and ſo deprived of their ſubſiſtence; or, if they ſubſiſt at all, are obliged to exiſt as labourers and ſervants to thoſe who have deprived them of their livings, and added them to larger farms; or are driven from their native homes to ſeek for bread in ſome populous

town; in ſhort, ſince they have been ſwallowed up and annihilated by large Farmers taking their ſmall poſſeſſions over their heads, or by their own landlords, whom the exorbitant prices of the neceſſaries of life have induced to farm their own lands; In a word, ſince all our remaining Farmers are become gentlemen, and moſt of our gentlemen are become farmers, let us again aſk, what are the conſequences? We ſenſibly feel them, and they are as follow:

We have no longer our markets filled with Pork, Pigs, Geeſe, Poultry, and Butter as formerly; for little of theſe articles is produced by large Farmers, other than for the uſe of their own families; and a Farmer, now become a Gentleman, by ſwallowing up the farms of his neighbours, would be much affronted to have it even ſuppoſed that he would concern himſelf about ſuch *ſmall matters*, and the fine Lady, his wife, would faint at the idea of attending at market, like her mother or grandmother, with a baſket of butter, pork, roaſting-pigs, or poultry, on her arm.

Hence, all our Butter and Cheeſe comes from graſs farms only, through the medium of Monopolizers; and a ſcanty ſupply of pork, pigs, and poultry, is produced by a new ſet of perſons unknown to our anceſtors, who raiſe and feed them with corn purchaſed from the rich *Farmers*.

But, there are yet other evils conſequent on the conſolidating ſmall farms into large ones, which are attended with ſtill more pernicious and baneful effects. The beſt ſituation for the buildings and yard

of a large farm is the centre of the land; becauſe, being at an equal diſtance from the extreme parts of the farm the journies are not ſo far, either in fetching home the crops, or carrying out the manure made in the yard, to enrich the land. But, admitting the buildings and farm-yard to be placed in this moſt convenient of all ſituations, yet, if the farm be only half ſo large as many of our modern farms are, the journies with dung to the diſtant fields, all around it, will be long; and hence, the little manure produced in the yard is often carried into the neareſt fields and grounds, and the further ones are neglected; when, even if the whole was equally beſtowed, the quantity would be very ſmall in proportion to the large extent of the land; becauſe, for the reaſons before ſtated, few cattle are kept on a large corn farm in proportion to what would be on the ſame land, if in ſmall ones. It is admitted, that moſt of the large farms are ſtocked with a great number of ſheep which are folded thereon, and ſo far the land is manured; but the ſmall farms alſo were ſtocked with ſheep before they were conſolidated, and perhaps with a greater number in proportion; beſides which, they had the benefit of the manure of a proper quantity of other cattle, which large ones have not.

Beſides, many of the farms are now ſo large, that it would be impoſſible for any one man to manage them properly, even though he was a ſkilful and induſtrious Farmer, and acted for himſelf; how, then, muſt they be conducted under the direction of a

man, whoſe father perhaps, might have been a Farmer, but who has himſelf been brought up at a boarding-ſchool, and whoſe ſtudies and genteel habits of life have unfitted him to be a Farmer, whatever he may be in practice, in fancy, and ſpeculation? *Surely* a *gentleman*, ſo educated and ſo habituated, will never ſubmit to the toils and fatigues inſeparably connected with the management of a large Farm, and without which it can never be conducted to the beſt advantage, either to the individual Farmer himſelf, or the public.

Conſcious of the truth of this obſervation, and having neither the ability nor inclination to perform the arduous taſk himſelf, he leaves the conduct of his Farm to the care of a Bailiff; the Bailiff, little intereſted in the event, thinks it quite ſufficient if he can but manage matters ſo as to pleaſe his employer; and this is the eaſier for him to do, becauſe his maſter is too much of a gentleman, and too lazy, to beſtow much pains in ſuperintending the conduct of his bailiff. He may, indeed, once a day, or once a week, as his fancy and inclination may direct, mount his pampered ſteed and ride through his extenſive domains, more for the ſake of pleaſure than of any real buſineſs; for, as to the latter, even the ſuperintendance of farming is too fatiguing for him ſeriouſly to attend to; and, if this is all that can be expected of a man, whoſe father was a Farmer, it would certainly be unreaſonable to expect more from ſuch noblemen and gentlemen of birth and fortune, as have become Farmers on their own eſtates.

Hence, it follows, that all, or moſt of the large Farms being thus under the entire management of Bailiffs, and each of them having the ſuperintendance of much more land than it is poſſible for him to manage with propriety, it is ſlovened over, and not properly manured and cultivated, nor is the grain it produces well thraſhed.*

In addition to the evils before ſtated, ſince moſt of the ſmall farms have been converted into large ones, and ſo many of our Noblemen and Gentlemen have turned Farmers, the good old methods of huſbandry have been too much neglected, and, in a great meaſure, ſuperſeded by the imaginary improvements and ſpeculative notions of whimſical projectors.

Agricultural Societies have been formed, where the Noblemen and Gentlemen turned Farmers, and the Farmers turned Gentlemen, and their Bailiffs, meet the Projectors and Speculatiſts, whoſe ſchemes and methods obtain great credit with the Noblemen and Gentlemen, becauſe they do not underſtand the farming buſineſs; and though they are ſecretly deſpiſed and laughed at by the Bailiffs who do, they dare not laugh out, but are obliged to put them in practice, and

* It has already been ſhewn how true this obſervation is, as relating to Manure and Cultivation; and, as to thraſhing, the Author, when on duty in the Berks Fencible Cavalry (lately reduced) at Briſtol, Bath, and South Wales, obſerved that much grain was left in the wheat ſtraw, provided for the horſes in his troop; and, on cauſing ſome of it to be thraſhed, a great deal of wheat was produced therefrom; and, in his other travels, in various other counties, he has made like experiments with the ſame effect; which would ſcarcely have happened, if the ſtraw had been at firſt thraſhed under the inſpection of an induſtrious Farmer acting for himſelf.

ſpeak well of them too, contrary to their own better judgment, leſt the ſpeculatiſts and projectors ſhould uſe the influence they have with their Maſters, and get them turned out of their Bread.

Thus the projectors and ſpeculatiſts make a very comfortable thing of it, by propoſing new theories and ſpeculative dreams, ſome of their own invention, and ſome imported from foreign parts, for the improvement of Huſbandry—Such as for making clay and ſand anſwer the purpoſe of dung, marl, chalk, and lime;—new modes of ploughing, ſowing, planting, reaping, and mowing;—ſcores of different kinds of carts, ploughs, and harrows, on new and improved conſtructions, and which have only one misfortune attending them, which is, that all the improvements, on trial, turn out to be defects;—ingenious contrivances and new invented Engines for thraſhing corn, ſome of which have the admirable advantage, over our old Engliſh method, that they leave plenty of grain in the ſtraw for the uſe of the pigs;—carts and ploughs to do twice the work with half the number of horſes;—fly-ploughs and fly-carts, and flying carts and ploughs, and hundreds of other extravagant whimſics of a like nature.—Inſomuch that whoever reads ſome of the late publications on the ſubject, and compares the preſent whimſical modes of Huſbandry with the ſure and productive methods of our old Engliſh Farmers, would almoſt be induced to imagine that the ſatirical Dean Swift was a prophet;—that the voyage of Gulliver to Laputa was real,

and that we, if our pretended improvements are perſiſted in, ſhall ſoon be actually there, with the flying iſland floating over our heads.*

It is much to be hoped, that ſuch of our law-makers, whether Lords or Commons, as have taken large quantities of land into their own hands, will conſider the pernicious conſequences of large Farms to the Public; and that they will alſo reflect that they themſelves cannot eventually be benefited by them.

If a Nobleman or Gentleman has the yearly value of his eſtates increaſed, by the high prices of the neceſſaries of life, it is by no means all clear gains. Suppoſe, for example, the value of his lands to be *doubled*; his expenſes in houſe-keeping, horſes, carriages, and *almoſt* all other outgoings, both in articles of luxury and neceſſity, eſpecially when in London, are in many inſtances *trebled*, and in ſome *four* times as great, and even more, than they were twenty-five or thirty years ago. Hence a Gentleman whoſe eſtate in the time of his father or grandfather, though only of *half* the *nominal* value it now is, was yet a much greater Income in *reality*; that is, ſuppoſing it to be an eſtate not very large, and that the Gentleman does not occupy it himſelf. Hence, likewiſe, it is no uncommon thing to hear a Gentleman, the rental of whoſe father or grandfather did not exceed 1000*l.* a year, complain, that, though he now lets the

* If the reader pleaſes to refer to the admirable ſatire of the Dean on the ſubject of new-fangled Huſbandry, he will find it in Gulliver's Travels.

Voyage to Laputa. *Swift's* Works, Vol. II. Chap. IV.

ſame eſtate for 2000*l.* a year, yet, he cannot live in any thing like the ſtile that his father or grandfather did.

The reaſon of this is obvious, becauſe all his expenſes, if he lets his eſtate and lives in town, (as we have juſt before obſerved,) have ſince been trebled or more than trebled; ſo that, though the doubling his rental has increaſed his eſtate *nominally* to two thouſand pounds per annum, from one thouſand; yet, his trebled expenſes have, *in fact*, in ſpite of his increaſed rental, had the effect of reducing his eſtate from one thouſand pounds a year to ſomewhat leſs than ſix hundred pounds; ſo that inſtead of being a gainer of one thouſand pounds per annum, as by his rental he appears to be, he is in reality and effect a loſer of upwards of three hundred pounds per annum. Or, in other words, he cannot by expending the whole of his increaſed income live in ſo good a ſtile by upwards of 300*l.* a year as his father did before it was raiſed.

Did gentlemen who have ſeats in Parliament maturely conſider this, and reflect how much, not only their own expenſes, but likewiſe thoſe of the ſtate, and the conſequent taxes to which they ſo largely contribute, are increaſed, (as more fully ſtated in the Firſt Chapter,) by every advance in the neceſſaries of life, we might hope and expect that ſome ſteps would be ſpeedily taken to reſtore the old methods of Huſbandry, and again reduce the large Farms into ſmall ones.

Would gentlemen who have large landed eſtates, inſtead of occupying great part of them themſelves, or

letting them out in immenſe quantities to overgrown farmers, ſet the laudable example of dividing them into ſmall farms, and letting them to induſtrious men, it would go a *great* way in curing the evil.

It muſt, however, be confeſſed, that, though ſuch praiſe-worthy examples, if ſet by great and leading men, would operate in the production of much good; yet, it would be a work of time, and, after all, many conſiderable land-holders might not come into the meaſure, unleſs compelled to do ſo: and hence ſome compulſory law to that effect ſeems to be a meaſure, in politics, moſt devoutly to be wiſhed.

We have not yet conſidered the evil conſequences attendant on turning large quantities of arable land into hay and paſture, and which the conſolidating of ſmall farms into large ones have, in ſome diſtricts, greatly facilitated and promoted. But we ſhall reſerve our obſervations on that head for the next chapter, which will be principally devoted to Grazing Farms, and the incloſure of Common and Waſte Lands.

CHAP. V.

The evils attendant on multiplying Graſs *and* Grazing Land, *at the expenſe of* Agriculture ;—*conſidered as a neceſſary conſequence of* conſolidating *Farms, the* increaſed number of Horſes, *and the Incloſing of Common Fields* ;—*with reaſons why the meaſure of* incloſing *the Common Waſtes is not calculated to remedy, but increaſe the evil.*

OVER and above the pernicious effects, which we conſidered in the laſt Chapter, there is alſo another, of a moſt ſerious nature, attendant upon, and indeed a neceſſary conſequence of conſolidating ſmall Farms into large ones. It is this ; that, as the richeſt land always pays beſt for Graſs and Grazing Farms, ſo, no ſooner is a large farm formed out of a number of ſmaller ones, than the Farmer, if the Land be ſufficiently good, begins to think of turning the whole into a Grazing Farm. The high prices of Butter, Cheeſe, and Hay, the latter of which has, of late years, been much enhanced by an increaſed number of horſes, joined to the ſmall labour and expenſe of conducting a Grazing Farm, compared to that of an arable one, are temptations too ſtrong to be reſiſted. And hence, the conſolidating ſmall Farms into large ones, and incloſing of common-field Land, have converted much of the beſt and richeſt arable Land in

the nation into Grazing and Hay Farms; yet, the price of hay has, within theſe few years, increaſed to an enormous and alarming degree, nor can it be otherwiſe, whilſt the breed of horſes, and their uſe, inſtead of oxen, in huſbandry, is ſo much the prevailing faſhion.

And here a ſhort digreſſion may not be improper on the ſubject of horſes.—One of the beſt meaſures of the preſent Adminiſtration was the tax on Horſes, but it is not large enough on any kind of Horſes. Many perſons in London, well able to walk, and whoſe incomes cannot afford it, keep horſes out of mere vanity and luxury, whereby many of them are helped into the Gazette, to the loſs of their creditors; a high tax would leſſen, if not prevent, this folly; and, as to horſes uſed in huſbandry, it is pity that they were not ſubjected to ſome very high duty (if high enough to amount to a total prohibition the better) to take place at a future period, diſtant enough for the Farmers to provide themſelves with oxen. Our anceſtors uſed nothing but oxen in huſbandry buſineſs; and, two hundred years ago, few were uſed in any country in Europe, except war-horſes, and for racing and hunting. Oxen were then in general uſe for ploughing and carting, and aſſes for riding; and, ſo far as ploughing and carting in huſbandry is concerned, happy would it be if the ancient practice was reſtored; we ſhould then have plenty of beef and more land for wheat.—An ox is valuable even when dead, and a horſe of no comparative value; an ox, when living, is maintained at a very ſmall expenſe, compared with the keep of a

horſe ; and it is a lamentable fact, that ſuch is now the prodigious number of our horſes, that nearly half the lands in the nation are devoted to their maintenance. But to return to our ſubject of Grazing Farms and Incloſures.

Hitherto the incloſing of Waſte Lands has not been very prevalent, but, unfortunately, it has been lately hit upon as an expedient for producing a greater quantity of grain and proviſions, though it will preſently be ſhewn that its effects muſt be directly contrary.

Gaining to the plough an immenſe quantity of Waſte Lands, which our anceſtors ſuffered to remain as commonable paſture, but which their *wiſer* deſcendents have diſcovered to be uſeleſs in that ſtate, is a meaſure ſo plauſible, that it is not ſurpriſing that an Act ſhould have paſſed in the laſt Seſſion of Parliament for ſmoothing the road to its incloſure. But let us pauſe a little, and conſider—what will be the real conſequences of incloſing it ? Why, the Lord of the Manor, the 'Squire of the Pariſh, and the Parſon, will get it all into their own hands (that is, all that is worth incloſing) and add it to what they had before ; conſequently, it will increaſe their farms, but by no means add to the number of ſmall ones.

Experience has proved this to have been invariably the caſe as to all the common-field Incloſures ; and hence we are warranted in concluding, that it will be the ſame with the commonable Waſtes whenever they ſhall be incloſed. In Leiceſterſhire, Derbyſhire, Northamptonſhire, and all the other Counties, where incloſing of Common-Fields has prevailed, it has been the conſtant practice (in moſt, if not in every

caſe) for the Commiſſioners, acting under the Incloſing Acts, to oblige the large Proprietors, (though compelled to allot ſome Land to the meaneſt proprietor) to make their award ſo ſtrict with reſpect to fencing, by quick-ſet hedges, with double ditches, and timber poſts and rails on each ſide, to guard them, that any ſmall allotment was not worth the expenſe of the fence required.

Add to this, that very often the Commiſſioners, ſtill farther to oblige the principal proprietors, by whoſe intereſt they were appointed Commiſſioners, frequently contrived to place the allotments of the ſmall proprietors at a great diſtance from their reſpective houſes and yards, or homeſtalls, as in ſome counties they call them; ſo that even if they could bear the expenſes of fencing, which few of them could do, they were ſtill deprived of the benefit of their allotments, by their being too far from home to be occupied to advantage. Hence, they were obliged to ſell them for any ſmall ſums they could get, to ſome opulent proprietor (generally the Lord of the Manor, the 'Squire, or the Clergyman) whoſe large allotment laid contiguous to their reſpective ſmall ones, and who could carry a ring-fence round, and take them into his large allotment at little or no additional expenſe. So true is the obſervation we have before made, that, on the incloſures of the common fields, they were ſure to fall into the hands of the Lord of the Manor, the 'Squire, and the Parſon; or, if this is not ſtrictly the caſe, as in ſome inſtances there are more large proprietors than theſe three, we have only to add

them to the number of thoſe, who, by their large allotments, have their property preſerved, and then it will be moſt ſtrictly true, that all the reſt of the proprietors, that is, all the ſmall ones, have invariably, by the incloſures, been compelled to ſell their allotments for little or nothing, and ſo deprived of their livings.

Were the Waſte Common Lands incloſed, there is no doubt they would ſhare the ſame fate, get into few hands, and eventually be turned into large Farms; or, rather, they would be added to the large Farms already in being, juſt as the common-field allotments were. And what is the pretence for incloſing theſe Common Waſte Lands?

It is ſaid to be for the purpoſe of bringing more Land into cultivation, and by that means increaſing the quantity of grain and proviſions; but, it has been ſhewn that, ſo far from anſwering this purpoſe, the Waſte Lands ſo to be incloſed will only ſhare the fate of the incloſed common-field Lands, and, like them, go in addition to the large Farms, or the formation of other large Farms, and ſuch of it as is ſufficiently good, ultimately into Grazing Farms; and, conſequently, if our foregoing obſervations are at all accurate, the incloſure of the waſtes, inſtead of *increaſing*, tends to *diminiſh the quantity* of grain and proviſions; and, inſtead of *leſſening* the prices, to *increaſe* them.

And when the Commonable Waſtes are incloſed, what is then to become of the great numbers of poor and induſtrious perſons and their families, who live around, and are ſupported by them?

> "Where, then, ah! where ſhall poverty reſide,
> To 'ſcape the preſſure of contiguous pride?
> If to ſome common's fenceleſs limits ſtray'd,
> He drives his flock to pick the ſcanty blade,

Thoſe fenceleſs fields the ſons of wealth divide,
And e'en the bare-worn common is deny'd.
GOLDSMITH's Deſerted Village.

Beſides, are the various Commons and Waſte Grounds, ſome of them very good, but for the greater part conſiſting of vaſt tracts of heath and barren ſands, ſo bad that they will never pay the expenſe of incloſing, of no uſe, and do they turn to no account in their preſent ſtate? Yes, even the worſt of them, not excepting Bagſhot Heath itſelf, produces a great number of ſmall black-faced ſheep, the ſweeteſt mutton, and the fineſt wool, in the nation; beſides paſturing a great number of cows, pigs, and geeſe, (not to mention horſes,) belonging to perſons who live round the reſpective waſtes, and poſſeſs ſome of them little Farms, and others only cottages with ſmall incloſures of Land, who gain a livelihood and ſupport large families by ſelling their ſweet little mutton, and their calves, pork, pigs, geeſe, and other poultry; butter, and eggs.—And ſhall theſe valuable ſupplies be loſt to the public, and given up for ever, to increaſe the domains of a few individuals? Shall the induſtrious men and women, who produce them, and their innocent little ones, be deprived of their means of exiſtence, and devoted to miſery and deſpair? Forbid it Humanity! Forbid it Heaven!—Let us reflect before it is too late,—before the fatal incloſures are made;—and may our law-givers, when they meet again, prevent the diſtreſſes they will produce, always remembering that—

The heart that *bleeds* at others woes,
Shall feel each *ſelfiſh* ſorrow leſs;
The breaſt that *happineſs* beſtows
Reflected happineſs ſhall *bleſs*. CARTWRIGHT.

CHAP. VI.

ON EXPORTATION *and* IMPORTATION; *ſhewing that the Nation is capable of feeding itſelf without Foreign Aid; and pointing out the bad policy and miſchievous effects of Bounties, on the Exportation of Wheat; with Remedies to prevent the high prices of Neceſſaries from injuring our Foreign Trade;—including a ſcheme for increaſing the* Trade, Population, *and* RESOURCES *of the Country.*

THE FOLLOWING TABLE contains *an Account*, from the *Inſpector General's Office*, Cuſtom-houſe, London, as delivered to both Houſes of Parliament on the 10th day of July, 1800:—

(COPY.)

An ACCOUNT of Foreign WHEAT imported into the Port of London, from the 1ſt January 1781, to the preſent Time, diſtinguiſhing the Imports of each Year.

	Quarters.	Buſhels.
1781	98,270	—
1782	4,635	6
1783	240,134	3
1784	36,966	5
1785	605	—
1786	—	4
1787	—	6
1788	4	5
1789	5,908	—
1790	67,032	—
1791	119,504	5
1792	7,065	4
1793	176,971	3
1794	19,654	5
1795	198,911	5
1796	477,877	6
1797	195,462	6
1798	152,449	—
1799	238,208	4
From the 5th January 1800, to the 21ſt June	222,757	—

JOHN GLOVER,
Pro Inſpector General of the Imports and Exports of Great Britain.

Inſpector General's Office,
Cuſtom Houſe, London,
July 10th, 1800.

[Ordered to be printed July 10th, 1800.]

From which table it appears that, in the year 1785, there were imported into the port of London only 605 quarters of foreign Wheat. That, in 1786, when it was *ſaid* a ſcarcity prevailed, only 4 buſhels were imported. In 1787 only 6 buſhels; and, in 1788, only 4 quarters and 5 buſhels.

It cannot but excite ſome degree of aſtoniſhment to obſerve, that, in the year 1795, when a ſcarcity was likewiſe ſaid to prevail, there were imported no more than 198,911 quarters and 5 buſhels; and that, in the year 1796, when it was univerſally *allowed* that the harveſt was uncommonly productive, there appears to have been imported no leſs than 477,877 quarters and 6 buſhels; and, in the year 1798, there were imported no leſs than 152,449 quarters.*

If, then, in the years of plenty, 1796 and 1798, ſuch large quantities were imported, and in the year of ſcarcity 1786, only 4 buſhels, two inferences naturally follow: *Firſt*, that real ſcarcity was not the cauſe of importation, becauſe we here find them leſs in a year of pretended ſcarcity than in the years of plenty; and, *Secondly*, that ſecret juggles and contrivances of intereſted men, who export and import the ſame identical corn for the ſake of the bounties; and pretences of ſcarcity, when plenty abounds, are the real cauſes of importations, or otherwiſe years of real plenty, and abundant harveſts,

* As a proof of the abundant crops of the years 1796 and 1798, a Thankſgiving Prayer was read in the churches throughout England and Wales, in both thoſe years, for the bounty of Providence in that behalf.

could not be years of greater importation than years of ſcarcity.

And, if we couple theſe obſervations, and inferences, with the large importations in the preſent year, though, in our *Second* Chapter, it has been proved, and is now generally admitted, that the ſcarcity was artificial, and the harveſt of 1799 rather abundant; and, if we alſo conſider that, by the foregoing table, it likewiſe appears that, in the courſe of three whole years, namely, 1786, 1787, and 1788, no more Wheat was imported into the port of London than 5 quarters and 7 buſhels, though one of thoſe years was ſaid to be a year of ſcarcity; we ſhall have great reaſon to conclude, that, though under the diſadvantages of ſo many ſmall Farms having been incorporated into large ones, an increaſed quantity of Graſs Land taken from the plough, and the other evils treated of in the Fourth and Fifth Chapters; yet, the kingdom has, for a ſeries of years paſt, upon an average, produced, and does yet produce, more than a ſufficient quantity of grain to ſupply all its inhabitants, without any aſſiſtance from foreign parts.

The facts and inferences we have juſt been conſidering are ſo ſtrong to this point, that they ſeem to be pretty concluſive. It is true, ſeveral learned and ingenious authors have ably, and by very ſpecious arguments, ſupported a contrary opinion; but theſe Gentlemen do not ſeem to have been fully appriſed of the practices of *ſecretly* conveying Wheat out of the kingdom; and may, probably, have been miſled

by ſuch artifices and pretences of intereſted men as have very lately deceived us all.

When we conſider that the Nation in general, and even the Government itſelf, have been, till very lately, ſo impoſed on by the miſrepreſentations of Farmers and intereſted Dealers in Grain, as to ſuppoſe there was a real ſcarcity, ariſing from an unproductive ſeaſon and bad harveſt in the year 1799; and, when we alſo reflect how the ſeaſon and harveſt of that year have ſince been proved to be productive and abundant; by the Grain of that ſeaſon, which had been hoarded and ſecreted by the Farmers to enhance the price, being lately brought to the different markets in quantities before unprecedented:*

We ſhall not be ſurpriſed that any individual, however penetrating and ingenious, ſhould have been deceived by like miſrepreſentations and practices which have been conſtantly uſed, by perſons intereſted, for a great number of years.

If then, notwithſtanding the diſadvantages in point of conſolidated Farms and an increaſe of Graſs Lands, at the expenſe of agriculture, the Nation has continued to produce, and ſtill produces, ſufficient corn for its own ſupply; what might not be expected from it, if the large Farms were again divided into ſmall ones, and the other evils, mentioned in our laſt two Chapters, cured by the means therein propoſed, and our ancient mode of huſbandry reſtored? We might then expect, and ſhould certainly

* See the concluſion of Chapter II.

experience, ſuch an abundance of Grain as our foreſathers enjoyed; and the old obſervation, *that England, upon an average, produced as much Corn in one year, as would ſerve its inhabitants three*, would again be applicable to our favoured Iſle.

Far from having any occaſion to import from foreign Nations, we ſhould then have plenty of Corn of our own growth for exportation; and the exportation trade, even in Corn, is valuable, when it is the reſult of plenty and cheapneſs, upon a comparative value with neighbouring Nations; but, it is not valuable when the money obtained by it is given away in bounties.

Bounties for exportation are premiums given for taking the Corn out of the kingdom, and which frequently continue to be paid ſo long as to drain great part of the Corn out of the Nation; ſo, that, whenever an unproductive ſeaſon arrives, it becomes neceſſary, which, otherwiſe, would not be the caſe, to hold out counter-bounties for importation, which are ſometimes paid for bringing the ſame identical Corn back again for which bounties had been before paid to take it away.

Bounties then are impolitic in the extreme;—and, if ever there was an inſtance in which it was true policy to let any thing find its own level, it is in this caſe; and, perhaps, in many others, as between nation and nation; but *never* as between the individuals of a nation, in any caſe, reſpecting the neceſſaries of life. To open the ports for importation when Wheat is above a certain price, and to ſhut

them ſo far as regards importation, and open them for exportation, whenever it falls below that price, is certainly good policy, as, on the one hand, it is calculated to keep the price ſufficiently high in plentiful ſeaſons to afford the Farmer a living profit;—and, on the other, to prevent its ever riſing ſo high, in unproductive ones, as to be above the reach of the lower claſſes of the people. And, to this end, the ſtipulated price, to be fixed as the criterion of exportation or importation, ſhould be a fair one, as between the Farmer and the conſumer;—perhaps it ought to be not leſs than *eight pounds*, and, *certainly*, not more than *ten pounds* per load.

From the following Table of the PRICES of GRAIN per QUARTER at Bear-key and Mark-lane, from the year 1742 to the year 1756 inclusive, a period of fifteen years, it appears that the Wheat never rose higher than 8l. 15s. per load, but was often much under that price.

THE TABLE.*

	Wheat.	Barley.	Oats.
Jan.	s. s.	s. s.	s. s. d.
1742,	26 to 29	15 to 20	12 to 15
1743,	20—23	15—20	13—16
1744,	19—21	11—13	9—12
1745,	18—20	12—15	12—16
1746,	17—24	10—13	12—14
1747,	27—30	8—12	7—11
1748,	26—28	13—14	9—12
1749,	27—32	17—18	14—16
1750,	24—27	14—17	12—13
1751,	24—27	14—17	12—13
1752,	20—25	10—13	9—11
1753,	29—35	17—18	10—12
1754,	27—33	17—19	12—13
1755,	24—26	12—14	10—13
1756,	22—26	14—15	12—13 6

A price then, if not less than eight pounds, or more than ten pounds per load, together with lessening the number of horses, increasing that of oxen,

* Taken from the Annual Register, Vol. XV.

and leſſening the quantity of, and preventing the neceſſity for, ſo much Graſs Land as we now have, by the modes propoſed in the preceding Chapter, would be a ſufficient inducement to the Farmer to raiſe Corn, without the pernicious practice of enriching individuals, by bounties, paid at the expenſe, and to the injury, of the people.

Opening the ports for exportation is a meaſure that never ſhould take place, except when the prices of Wheat are ſo very low at home, as to afford a plentiful ſupply of it to even the pooreſt individual in our own country; for policy and humanity both require, that our own people, particularly the poor, who work at our manufactories, ſhould be ſupplied with every neceſſary article of life at cheap rates; and this, as well for the political reaſons ſtated in our Firſt Chapter, as to prevent the neceſſity of any conſiderable riſe in the prices of labour, and conſequent advance of our manufactured articles, ſo as to injure their ſale at foreign markets.

For theſe reaſons, the price at which our ports ſhould be ſuffered to open for exportation of Wheat ought to be lower, rather than higher, than what we have before conſidered as the proper ſtandard.

It is poſſible for a nation to be exceedingly populous by means of manufactories and merchandiſe, as Holland before the late Revolution was, and to conſiſt of a great number of inhabitants, more than its own ſoil can maintain.

A nation, ſo ſituated, it is evident, muſt devote the greateſt part of its own territory to Garden and

Graſs Ground, for the production of its Vegetables and Butter, and ſuch other periſhable articles as cannot be conveniently imported; but, with reſpect to Corn and other Grain, it muſt be had from other Countries, and it can be obtained from them in ſufficient quantities for the ſupply of even a large nation, eſpecially if that nation is a trading one, having a competent number of Ships.

The riches, ſtrength, and reſources of a Country conſiſt in a numerous population; and hence, if any other Country could, by reaſon of the ſmall prices of proviſions and labour in that Country, underſell us at foreign markets, it would be a ſalutary meaſure, inſtead of paying bounties for the exporting of wheat, to pay them for the exportation of our manufactured goods.

We do not give bounties for the exportation of our Wool, or any other raw material; but, on the contrary, *wiſely* prohibit the exportation of it by ſevere Laws. And, if it is good policy thus to keep the raw materials at home to be manufactured by our own workmen, it certainly muſt be equally good policy to keep ſo much of our Wheat at home as will afford a plentiful ſupply to our manufacturers; becauſe, it is as neceſſary that they who work up the materials ſhould be fed at a cheap rate, as it is that the materials, on which they work, ſhould be plentifully provided.

It is the working up the raw material that makes it valuable. In ſome inſtances, nay in many, the raw material is, by manufacturing, increaſed to more

than twenty times its original value. For this increaſe, which on exportation is all clear gain, the nation is indebted to the workmen who work up the raw material.

Our working hands ſhould be plentifully ſupplied with corn and every other neceſſary, even though our own country could not produce ſufficient for that purpoſe, and ſound policy, in that caſe, would require us to pay for it from abroad; and the balance of trade would be greatly in our favour: for we ſhould only pay the price of the corn, or other neceſſaries imported, to feed our workmen; but our exports would be the workmanſhip of thoſe workmen on materials increaſed in value, many fold, by their labour.

Hence the population and reſources of the nation might be increaſed to almoſt any given extent, by only making and exporting as much goods as poſſible, and ſelling them (though dear at home) ſo reaſonably at foreign markets (by means of export-bounties) as to prevent the poſſibility of our being underſold there by any other nation.

But, on no account, ſhould any raw material, or corn, or other neceſſary of life, be ſuffered to be exported; except, (as to the latter,) when ſo abundant, and the prices ſo low, that it can be well ſpared, and our people plentifully and cheaply fed with what is left.

It has been obſerved before, and cannot be too often repeated, that the multitude at large ſhould

never be ſtinted as to neceſſaries, and even common luxuries.

They, when enabled to live well, and enjoy their proper comforts, in ſo doing, contribute largely to the national ſupplies; which cannot be raiſed in any other way, to ſo great an amount, as by the general contributions of the people at large, paid directly, or indirectly, by taxes, which affect the neceſſaries of life.

The prices of all the neceſſary articles of life have, within the laſt twenty-five years, riſen in a manner moſt rapid, and *before* unprecedented, as hath been obſerved in the Firſt Chapter, and more evidently appears in the following Table, ſent to the Author by an unknown hand, but which he has carefully conſidered, and thinks it very correct.

TABLE

Of the COMPARATIVE PRICES *of the* NECESSARIES *of* LIFE *for a* FAMILY, *conſiſting of a* Man, *his* Wife, *and* Five *or* Six Children.

PRICES OF PROVISIONS CONTRASTED.

1775.	s.	d.
Bread, 6 half-pecks, at 1s. 1d.	6	6
Meat, 14 lb. at 4d.	4	8
Soap, 1 lb.	0	5½
Candles, 1 lb.	0	6
Butter, 2 lb. at 6d.	1	0
Cheeſe, 3 lb. at 3½d.	0	10½
Small beer, 3 gall. at 3d.	0	9
Milk, 1 gallon,	0	6
Vegetables,	1	0
Coals, 1 buſhel,	1	0
For one week,	17	3

1795.	£.	s.	d.
Bread, 6 half-pecks, at 1s. 11d.	0	11	6
Meat, 14 lb. at 7d.	0	8	2
Soap, 1 lb.	0	0	10
Candles, 1 lb.	0	0	10
Butter, 2 lb. at 10d.	0	1	8
Cheeſe, 3 lb. at 7d.	0	1	9
Small beer, 3 galls. at 5d.	0	1	3
Milk, 1 gallon	0	1	2
Vegetables	0	2	0
Coals, 1 buſhel	0	1	4
For one week,	1	10	6

1800.	£.	s.	d.
Bread, 6 half-pecks, at 2s. 10d.	0	17	0
Meat, 14 lb. at 10d.	0	11	8
Soap, 1 lb.	0	0	10
Candles, 1 lb.	0	0	11
Butter, 2 lb. at 1s. 2d.	0	2	4
Cheeſe, 3 lb. at 9d.	0	2	3
Small Beer, 3 galls. at 7d.	0	1	9
Milk, 1 gallon	0	1	4
Vegetables	0	3	0
Coals, 1 buſhel	0	2	0
For one week,	2	3	2

Excluſive of Houſe-Rent, Shoes, Stockings, Linen, Woollen, and other Articles of Apparel; Strong Beer, and various domeſtic Neceſſaries which cannot be diſpenſed with, not here enumerated.

If then this rapid increaſe ſhall be ſuffered to continue; and, indeed, if the preſent high prices ſhall not be ſpeedily and effectually reduced, by the means recommended in other parts of this Treatiſe, the prices of all kinds of ingenuity, labour, and ſkill, and the profits of every trade, ſhould be increaſed ſo as to keep pace with them; or otherwiſe the great bulk of the people, that is, the middle and lower claſſes, will very ſoon be impoveriſhed to a degree that will greatly injure the national reſources; and for which increaſed contributions from the rich (which, comparatively ſpeaking, are few in number) will by no means compenſate.

The lowering and keeping down the prices of the neceſſaries of life, has been the grand conſideration of the Author in every particular recommended in the preceding pages; and that for the expreſs purpoſe of rendering the indiſpenſable articles of ſubſiſtence eaſily obtainable by the middle and lower classes of the people;—but raiſing the prices of labour, ſkill, and ingenuity, and the profits of trade, would produce a ſimilar effect.

And though this latter meaſure, if reſorted to, will, as hath been before obſerved, raiſe the prices of almoſt every thing, and conſequently of our manufactured goods, for home conſumption, yet the meaſure of bounties on exporting them, before ſpoken of, would prevent our being underſold at foreign markets.

CHAP. VII.

On the different Policy in ancient Times *from that of the preſent,—as reſpecting the* Neceſſaries *of* Life; *with the Methods uſed by* Government, *in the* Days *of our* Anceſtors, *for fixing and keeping down the Prices.*

IF in our time any propoſition is made for regulating the prices of corn, or other neceſſary articles of life, and keeping them within due bounds, by the authority of Government; or even to aſcertain the quantity of grain in the country, we are anſwered, that any ſuch meaſure would trench on the rights of individual property.

The Author was not in the Houſe of Commons to hear what paſſed, in March laſt, on the ſubject of aſcertaining the quantity of grain; but the Newſpapers all agree in reporting that *Mr. Pitt* ſpoke to the following effect:—

"That he believed if a receipt was wanting for the dearth, and to ſecure its returning again and again, with increaſed danger, it would be for the Legiſlature to violate the rights of property, by an inquiſition into the poſſeſſions of private men. Such an inquiſition would be contrary to every principle of juſtice. And he *would* ſay, that the corn

merchant, corn-factor, and all other dealers in *that* article, had *a right* to have *as much* of it in their poſſeſſion *as they pleaſed*; and alſo the right of diſpoſing of it *as they pleaſed*. Such ſecurity to that kind of property was the foundation of all *Agricultural Improvements** and proſperity."

Nor was the Author in the Houſe of Lords on the 20th of March laſt, on the third reading of the bill for prohibiting the manufacture of ſtarch from wheat; but the Newſpapers report, that, *Lord Grenville* took occaſion to obſerve:—"That he continued to be of opinion, that no good could poſſibly ariſe by diſcuſſion;—and that the beſt way would be to leave the grain to find its own value. The farmer, as well as a man in any other trade, had an undoubted right to make as much as he could by his articles, otherwiſe, who would *enter his property*† in ſuch concerns?"

Such doctrines as theſe, coming from perſonages ſo high in office as the Chancellor of the Exchequer, and one of His Majeſty's Principal Secretaries of State, produced the effect which might naturally be expected from them. The large farmers, and monopolizing dealers in grain, began immediately to quote in their converſations, the opinions of the

* The nature and effect of our modern large-farm *Agricultural Improvements*, compared with the old methods and ſmall farms, we have ſeen in the Fourth and Fifth Chapters.

† *Enter his property*, indeed! Happy would it be if rich men were not ſo fond of *entering their property* in farming. We might, in that caſe, again experience the bleſſings of *ſmall-farm agriculture*.

Prime Miniſter and Secretary of State in their favour; and, ſupported by ſuch high and powerful advocates, ſeemed to fancy, they might *ſin* with impunity.

So fancying, and no doubt thinking, the great and high-officed Politicians, who were ſo friendly to them, were *much wiſer* than King Solomon, who ſays, "He that withholdeth corn, the people ſhall *curſe* him; but *bleſſing* ſhall be upon the head of him that *ſelleth it*;"* they withheld their grain from market with additional tenacity, till the importation of corn, and the proſpect of an abundant harveſt operated in the manner deſcribed in the Second Chapter, and cauſed the farmers to fill the markets with their long-hoarded ſtores of wheat, which they had withheld for one, two, and, in ſome inſtances, even for three years.

This undeniable proof of a long-hoarded abundance had the effect of leſſening, in ſome meaſure, the prices of wheat, and relieved us, in ſome degree, from the evils of an artificial famine, ſo far as related to that commodity; and the proſecutions and legal deciſions, which have recently taken place, have happily had the effect of checking the career of offenders againſt the laws reſpecting various other neceſſary articles of life.

There is however, perhaps, nothing that could anſwer the purpoſe ſo well as fixing the *higheſt* price for ſale of each neceſſary article of ſubſiſtence; in

* Proverbs, c. xi. v. 26.

London, and other large corporate towns, by the Mayor and Aldermen, and in each county by its Juſtices of the Peace, and which ſuch magiſtrates of corporations and counties ſhould be authoriſed and obliged, by Act of Parliament, to do at each of their Quarter Seſſions; taking into their conſideration the prices of labour, in their reſpective diſtricts, and fixing the prices of the ſeveral neceſſary articles agreeable thereto, ſo as to put them within the reach of the working people. And the act ſhould provide ſevere and effectual penalties, and puniſhments, on ſuch dealers as ſhould aſk higher prices than fixed by the Magiſtrates of the diſtrict.

What! ſay the farmers, monopoliſts, and the combined monied dealers, and their tender-hearted friends, who can bear the idea of fixing the prices of any thing but the neceſſaries of life,—would you deſtroy our liberties? Would you introduce amongſt us the new-fangled meaſure of a French *maximum*, adopted by that nation in the moſt violent days of Jacobiniſm?—Fair and ſoftly, Gentlemen,—let us aſk *you* a queſtion.—

Pray which might be thought the greateſt infringement of Britiſh Liberty, to fix the higheſt prices of neceſſaries, and keep them within the reach of our labourers, or to indict and puniſh ſuch labourers for combination, if they hold meetings for the purpoſe of advancing the prices of their labour, ſo as to bear ſome proportion to the *exorbitant rates* to which the combinations and illegal practices of rich far-

mers, and dealers, have advanced every article of life?

To reſtrain men from meeting together to conſult and purſue meaſures for raiſing the prices of their labour, though without ſuch riſe they cannot exiſt and ſupport their families, is admitted to be law. But a man's labour is ſurely as much his own property as a monopolizer's goods; and is the monopolizer or the labourer the greateſt friend to the community?

Why not then rather indict and puniſh the rich offenders, who by combinations raiſe and keep up the neceſſaries of life? And why were not the brewers indicted, when, by combining and entering into mutual reſolutions, they lately raiſed the price of porter?

Neither is the fixing the maximum a new fangled meaſure, nor of French invention; on the contrary, the fixing the higheſt price of each neceſſary article of life is very ancient, and was long ago in uſe in our own country, as will appear from the following quotations:—

In the reign of Edward II. in the year 1314, the Parliament ſettled the prices of proviſions to be ſold in *London* at the following rates, under the penalty of forfeiting the goods, as appears by the *King's* Letter to the Sheriffs of London:—*

* Entick's Hiſtory and Survey of London, Weſtminſter, and Southwark. Vol. I. p. 207.

	£.	s.	d.
The beſt graſs fed ox, alive, at	0	16	0
The beſt grain fed ox, at	1	4	0
The beſt cow, at	0	12	0
The beſt hog of two years old, at	0	3	4
The beſt ſhorn mutton, at	0	1	4
The beſt gooſe, at	0	0	3
The beſt capon, at	0	0	2½
The beſt hen, at	0	0	1½
The beſt chickens, two for	0	0	1½
The beſt young pigeons, three for	0	0	1
Twenty eggs, at	0	0	1

In the reign of Edward III. in the year 1335, the King, with the advice of his privy council, ſent a ſevere reprimand to the Lord Mayor and Sheriffs of the city of London, upbraiding them for the little regard they paid to their oaths, by ſuffering bread, wine, beer, and other kind of victuals, to be ſold in the city at exceſſive rates; and permitting bad weights and meaſures: and commanded the Lord Mayor, upon the penalty of his whole fortune, forthwith to convene the Aldermen and Commonalty of the city, to deliberate upon, and to *regulate the prices of all ſorts of proviſions*, according to the prime coſt: and he ſtrictly enjoined the Mayor and Sheriffs to reform the abuſes reſpecting weights and meaſures.

In purſuance of this royal command, the Mayor, Aldermen, and Commonalty, ſo regulated the price

of proviſions, that they, in the year 1335,* ſettled,

	s.	d.
The beſt wheat, the quarter, at	2	0
The beſt ox, at	6	8
The beſt ſheep, at	0	8
The beſt pigeons, ſix for	0	1
The beſt gooſe, at	0	2
The beſt pig, at	0	1

In the reign of King Edward VI. it was ordered by the King and Council,† that

FROM MIDSUMMER TO MICHAELMAS,

	£.	s.	d.
The beſt fat ox ſhould be ſold at	2	5	0
Beſt Steers and Runts, at	1	5	0
Beſt heifers and kine, at	1	2	0

FROM HOLLOWMAS TO CHRISTMAS,

The beſt fat ox to be ſold at	2	6	8
Beſt ſteers and runts, at	1	6	8
Beſt heifers and kine, at	1	3	0

FROM CHRISTMAS TO SHROVETIDE,

The beſt fat ox to be ſold at	2	8	4
Beſt ſteers and runts, at	1	8	4

FROM SHEERING TIME TO MICHAELMAS,

The beſt fat wether to be ſold at	0	4	4
If ſhorn, at	0	3	0

* Entick. Vol. I. p. 242 and 243.

† Entick. Vol. II. p. 8 and 9.

	£.	s.	d.
Beſt fat ewe, at	0	2	6
If ſhorn, at	0	2	0

FROM MICHAELMAS TO SHROVETIDE,

The beſt fat wether, at	0	4	4
If ſhorn, at	0	3	0

In the ſame reign in the year 1550, the King and Council fixed the following prices:—*

White wheat, the quarter, at		13	0
Red ditto, at		11	0
All other ſorts of ditto, at		8	0
Beſt malt, per quarter, at		10	0
Second ditto, per qr. at		8	0
Beſt Rye, per qr. at		7	0
Second ditto, per qr. at		6	0
Beſt barley, per qr. at		9	0
Second ditto, per qr. at		7	0
Beſt beans and peas, per qr. at		5	0
Second ditto, per qr. at		3	0
Oats, per qr. at		4	0
Beſt butter, per lb. at	0		1
Eſſex barrelled butter, at	0		0¼
All other barrelled ditto, at	0		0½
Eſſex cheeſe, per lb. at	0		0¼
All other ſorts of ditto, at	0		0½

Without troubling the reader with any other

* Entick. Vol. II. p. 9 and 10.

quotations or tables, reſpecting the practice of fixing the maximum of the prices of neceſſaries in England; the foregoing will be ſufficient to ſhew that our rulers in former times entertained very different opinions from thoſe of Mr. Pitt and Lord Grenville.

They undoubtedly, when they fixed the prices of corn, and the ſeveral other neceſſary articles of life, conceived, that being of ſuch general neceſſity, the farmers who produced, had no more than a qualified property in them; and, conſequently, could have no right to withhold them from market, and periſh their fellow-creatures with hunger;—that the public ſafety ſuperſedes every private privilege, and that to *feed* its *people* is the firſt duty of a Government; that the farmer ſhould be obliged to ſell his produce reaſonably to his fellow-ſubjects, for whoſe uſe it is his duty to produce it; and, conſequently, that for a farmer, or a monopolizer or middle man, ſtepping between him and the public, to withhold corn, or any other neceſſary article of life, from market, or to extort an unreaſonable price for it, was a crime of great magnitude.

So, undoubtedly, in times paſt, thought and reaſoned the governors of this country, when they fixed the higheſt prices of corn, and all other neceſſary articles of life; ſo *different* were their notions from thoſe of our *preſent rulers*.

CHAP. VIII.

Shewing that SUBSTITUTES *for* Bread *are not, nor have been, either* neceſſary *or* expedient; *with* Obſervations *on the Act lately paſſed, for incorporating "The* LONDON COMPANY for the manufacture of Flour, Meal, *and* Bread."

DURING the laſt Winter and Spring, and almoſt up to the preſent harveſt, the falſe repreſentations and nefarious practices of farmers and intereſted dealers, ſo far miſled the public mind as to induce many to believe that a real ſcarcity, bordering on famine, afflicted the land; though we have ſince been abundantly convinced that the baneful artifices, and contrivances of men *intereſted to deceive*, operating in the ways deſcribed in ſeveral of our foregoing Chapters, were the ſole cauſe of the national calamity; and that the people were oppreſſed with pretended ſcarcity, in the midſt of *real* and *long-hoarded* plenty.

Many humane and well-diſpoſed perſons were, however, ſo far impoſed on as to believe the ſcarcity real; and ſuch of them as poſſeſſed projecting talents, began (no doubt much to the amuſement of the hoarding farmers and monopoliſts, who knew the pretended ſcarcity to be a juggle of their own) to ſet their inventive faculties at work in the contrivance of *ſubſtitutes* for *bread*.

Many and various were the ingenious projectors, and many and various their projects; but it ſhall ſuffice to mention a few.

Potatoes were, by many of them, recommended as the beſt of all poſſible ſubſtitutes; and indeed it muſt be admitted, that the potatoe is an excellent root; and ſuch philoſophers as have tried the experiment, unanimouſly agree that a man having *quantum ſufficit* of *roaſt mutton*, *roaſt pork*, or *roaſt beef*, can very well eat potatoes with it inſtead of bread. But by far the moſt numerous ſect of experimental philoſophers, in the ſubſtitute way, declare, that *even potatoes*, though better than any other ſubſtitute, will by no means anſwer the purpoſe of bread, when eaten alone; but that, on the contrary, *one pound* of good bread will nouriſh and ſtrengthen the human frame more than *three pounds* of potatoes. But as the last mentioned students who hold this opinion, conſiſt of the poorer claſſes of the people, and were impelled by *hunger* to make their experiments, and not by the *deſire* of *knowledge* or *love* of *fame*, perhaps their opinions and diſcoveries may have but little weight with the former, and far more reſpectable claſs, of philoſophers, who, to their immortal honour, ſtudied *ſubſtitutes for bread* upon a *full belly*.

Another very ingenious *ſubſtitute* for bread in the pretended alarming ſcarcity, was *faſting* and *abſtinence*, ſaid to be the contrivance of a *Right Reverend Prelate*. This expedient had the honour of being ſtrongly recommended (but perhaps not very ſtrictly practiſed) by many *opulent perſons*.

But far ſuperior to any yet mentioned was the ingenious diſcovery of a Noble Lord, the near relative of *Power*, ſaid to be *immenſe*, who happily hit upon, and recommended RED HERRINGS as a *ſubſtitute for bread*.

And as, at the ſame period, *ſoup-ſhops* * flouriſhed in all their glory, and the *windy waſh* called *peaſe-ſoup*, was declared to be an excellent ſubſtitute for ſolid *beef* and *mutton*; ſome very ingenious perſons, following up the idea of the *aforeſaid* Noble Lord, propoſed that the ſubſtitute for beef and mutton, *called ſoup*, ſhould be *breaded* with the ſubſtitute for bread, called *red herrings*.

It would tire the indulgent reader to enumerate, and do juſtice to, all the other ingenious profeſſors in the ſcience of ſubſtitution, whoſe profound abilities were exerted to defeat and do away the conſequences of the artificial ſcarcity, and predicted famine; and therefore the few ſpecimens already given muſt ſuffice.

Now as the pretended and alarming ſcarcity which ſet thoſe ingenious perſons to work, has been ſhewn in various preceding Chapters of this publication to have been merely artificial; and that inſtead of a

* A certain worthy and reſpectable Member of the Houſe of Commons, and a particular friend of the Author's, very juſtly obſerved to him, at the time ſo much money was ſo liberally, but injudiciouſly contributed to *ſoup-ſhops*, that if *one-tenth* of the ſum had been devoted to the proſecution of *foreſtallers*, *regrators*, and *engroſſers*, the poor would not have ſtood in need of any ſubſcription. And the *ſoup-ſhops*, however laudable the intention of the ſubſcribers, had very pernicious effects of advancing the prices of coarſe pieces of meat, and putting them out of the reach of the poor.

ſcarcity, there was a vaſt abundance of grain, of our own growth, hoarded up in ſtacks, granaries, and warehouſes all over the kingdom;* and conſiderable quantities of which had been ſo hoarded for years, and withheld from market to enhance the price; and ſome of which, ſtored in barns, the farmers in general, particularly in Buckinghamshire, Oxfordſhire, and Berkſhire, have now ſet an extraordinary number of hands to thraſh out, to make room for the preſent crop. It follows, that the labours of all the ingenious Noblemen and Gentlemen concerned in inventing ſubſtitutes, however laudable their intentions might have been, were wholly unneceſſary.

They were not only unneceſſary but inexpedient; becauſe the only proper and effectual remedies for, and preventives againſt any pretended ſcarcity of grain, when long withholden hoards of plenty abound, is to cauſe it to be brought to market, and ſold at reaſonable rates.

And with reſpect to any real ſcarcity, it did not

* In addition to the undeniable proofs inſerted in ſome of the preceding Chapters, of the abundant quantity of grain hoarded and kept back from market; and that the farmers had plenty to produce if they pleaſed. Some of the Author's worthy friends in and about Newbury, in Berkſhire, very laudably and liberally ſubſcribed ſeveral thouſand pounds, which were laid out in the purchaſe of foreign wheat, for the purpoſe of ſelling it under the then extortionate price. This had the immediate effect, that on the then next market day (31ſt July laſt), the farmers produced at Newbury market *no leſs* than *one hundred and twenty ſample ſacks of wheat*, a quantity *far exceeding* what had ever been remembered to be brought to that market; though till then their univerſal cry was, that they had little or no corn, and that it would be ſoon 50l. the load.

then exiſt; nor will it ever happen in future, but we ſhall always be ſecured againſt it, if not only ~~all~~, but even *ſome*, of the remedies and expedients recommended in theſe ſheets ſhall be reſorted to, and put, and continued in practice.

It does not ſeem neceſſary to add more on the ſubject of *ſubſtitutes* for *bread*; we proceed, therefore, to conſider the nature and probable conſequences of the eſtabliſhment, by act of the laſt ſeſſion of Parliament, of "The London Company for the Manufacture of Flour, Meal, and Bread."

We will firſt ſtate the principal clauſes of the Act, and then take the ſubſtance of them ſhortly, and make our obſervations.

By Act 39th and 40th Geo. III. cap. 97, it is enacted, That certain ſubſcribers therein named, and every other perſon and perſons who ſhall thereafter, either in their own right, as original ſubſcribers, or as executors, adminiſtrators, ſucceſſors, or aſſigns, in right of any ſuch original ſubſcriber or ſubſcribers, become proprietors of, or intereſted in, any part or ſhare of the joint capital, ſtock, or fund, thereinafter-mentioned, ſhall be one diſtinct and ſeparate body politic and corporate, by the name and ſtyle of the *London Company for the manufacture of Flour, Meal, and Bread*, and that by the ſame name they ſhall have ſucceſſion, and a common ſeal; and ſhall be able and capable in law to have, purchaſe, take, and enjoy lands, tenements, and hereditaments, of what kind, nature, or quality ſoever, not exceeding the annual value of two thouſand pounds, above all charges and reprizes, for the uſe of the ſaid manu-

factory, without licence to hold or enjoy the ſame in mortmain, and that ſuch Corporation may grant, ſell, demiſe, alien, or diſpoſe of ſuch lands, tenements, or hereditaments, or any part thereof, at their free will and pleaſure; and in their corporate name, ſhall and may ſue and implead, and be ſued and impleaded, in all courts of record and places of judicature, in all cauſes and actions touching or concerning the ſaid Corporation, or the manufactory to be by them carried on.

Sec. 2. That it ſhall be lawful for ſuch Company to raiſe and contribute among themſelves a Capital or Joint Stock, to be applied and uſed in eſtabliſhing and carrying on the ſaid Manufactory, not exceeding 120,000l. and ſuch Capital or Joint Stock ſhall be divided into *four thouſand eight hundred* parts or ſhares, or ſuch part of ſuch Capital or Joint Stock as ſhall be contributed as aforeſaid, ſhall be divided into Shares of 25l. each, and all ſuch Shares ſhall be deemed Perſonal Eſtates, and be tranſmiſſible as ſuch, and they are thereby accordingly veſted in the ſeveral Subſcribers, and their reſpective Executors, Adminiſtrators, and Aſſigns, to and for their own reſpective uſe and benefit, proportionably to the ſums they ſhall reſpectively ſubſcribe and pay thereunto; provided that no Proprietor or Joint Proprietors, of any ſuch Share as aforeſaid ſhall have or hold, either in his, her, or their, own name or names, or in the name or names of any other Perſon or Perſons, to or for his or her uſe or benefit, more than forty ſuch Shares.

Sec. 16. That no *Dividend or Dividends of the Profits* of the ſaid undertaking ſhall be made or taken by the ſaid Proprietors, exceeding, in the *whole, ten pounds per centum per annum, on the amount of the Sums* which ſhall have been contributed for raiſing the Capital or Joint Stock of the ſaid Company; and, in caſe any profits ſhall be made by means of the ſaid Manufacture, *beyond the amount of Ten Pounds per centum per annum*, on the ſaid Capital or Joint Stock, the ſame ſhall be *applied to ſuch purpoſes, and in ſuch manner as Parliament ſhall direct.*

Sec. 17. That the Managers of the ſaid Company ſhall, yearly, within ten days after the 25th day of March, if Parliament ſhall be then ſitting, or, as ſoon after as Parliament ſhall ſit, *lay, or cauſe to be laid, before each Houſe of Parliament, a true account of the receipt and application of all Monies received and applied* by the ſaid Company, and of the quantities of Wheat, or other Grain, bought on each day, when purchaſes ſhall have been made, and the prices paid for the ſame; ſhowing alſo, the quantities in ſtore, both of Grain and of Flour, and Meal, on the firſt day of each month throughout the year, ending the 31ſt day of *December* preceding; *and alſo the quantities of Flour and Bread manufactured by the ſaid Company* in each month within the ſaid preceding year; and of the debts and credits of the ſaid Company, on the ſaid 31ſt day of *December* preceding, and the names of the members of the ſaid Company, and the number of Shares held by each.

Sec. 18. That it ſhall be lawful for the ſaid Company to manufacture and ſell, in every year, commencing from the 1ſt day of *January*, any *quantity of Flour or Meal, not exceeding one hundred and twenty thouſand ſacks*, of two hundred and eighty pounds weight averdupois each; and it ſhall be lawful for them *to make weekly any quantity of Flour or Meal into Bread, not exceeding two hundred ſacks of the like weight*, and to ſell the ſame; provided always, that it ſhall not be lawful for the ſaid Company, by themſelves or their Agents, *to ſell any quantity or quantities of Wheat, exceeding, in the whole, the quantity of one thouſand quarters, in any one week.*

Sec. 19. That it ſhall not be lawful for the ſaid Company to make for ſale, any Bread of a *finer quality* than the Bread uſually called *Standard Wheaten Bread*, or Bread made of the whole Meal, with the Bran and Pollards only taken out.

Sec. 20. Recites the Act of the 37th year of the Reign of his preſent Majeſty, and the ſeveral other Acts in force reſpecting the ſetting the Aſſize of Bread:—that there was no other proviſion or direction in any Table of Aſſize reſpecting the price of Standard Wheaten Bread, than a certain Table of Aſſize contained in an Act paſſed in the 13th year of his preſent Majeſty, intituled, *An Act for better regulating the Aſſize, and making of Bread:*—

And, that the Bakers of *London*, and within the Bills of Mortality, were unable to manufacture and ſell Standard Wheaten Bread, by reaſon of the ſaid Act laſt mentioned not making a due allowance to the

Baker, and the ſaid Aſſize Table not being ſuited to the preſent price of Flour.

It then enacts, That all the Proviſions, Regulations, and Directions contained in the ſaid Act of the 37th year of his preſent Majeſty, concerning Wheaten Bread and Houſehold Bread, *ſhall extend to the making and ſelling of Standard Wheaten Bread*; and empowers the Court of Mayor and Aldermen of *London* to fix an aſſize or price of Standard Wheaten Bread, upon ſuch principles as they now fix the aſſize or price of Wheaten and Houſehold Bread, and enables them to make a due *allowance* to the Bakers for *making* and *ſelling* the ſame, according to their opinion of what ought fairly to be allowed them for their trouble and expenſe in making and ſelling the ſaid Standard Wheaten Bread.

Sec. 21. Enacts,—That no Manager of the ſaid Company, or Officer, or Servant, employed in the ſaid Manufactory, or in any Buſineſs relating thereto, ſhall, during the time of his *remaining ſuch Manager, or being employed as aforeſaid, act as a dealer in Wheat or other Grain*, or Flour, or Meal, *or as a Factor* or Agent in the buying or *ſelling thereof*, or ſhall *buy any Wheat or other Grain, Flour, or Meal, for* the purpoſe of *ſelling the ſame for profit or gain, or make for* ſale, or ſell *any Bread*; and, if any ſuch Manager, or Officer, or other perſon aforeſaid, ſhall, during ſuch time as aforeſaid, act as a dealer in Wheat or other Grain, or Flour, or Meal, or buy, or ſell any Wheat or other Grain, Flour, or Meal, as a Factor or Agent for any other perſon or perſons, or buy any Wheat or

other Grain, or Flour, or Meal, on his own account, for the purpoſe of ſelling the ſame for profit or gain, or make for ſale, or ſell any Bread, he or ſhe ſhall forfeit, for *every quarter* of Wheat, or other Grain, or ſack of Flour or Meal, ſo bought or ſold, and for every ſack of Flour or Meal ſo made into Bread as aforeſaid, the ſum of FORTY SHILLINGS, to be recovered with Coſts of Suit in any of his Majeſty's Courts of Record, by action of Debt, Bill, Plaint, or Information, and to be applied, *one half* thereof to the poor of the pariſh where ſuch offence was committed, and the *other half* to the perſon or perſons who ſhall ſue for the ſame.

Sec. 23. That if the ſaid ſum of 120,000l. herein-before authoriſed to be raiſed, ſhall be found inſufficient for carrying on, or completing and maintaining of the ſaid undertaking, the ſaid Company may raiſe, for the purpoſes aforeſaid, any further ſum or ſums of Money, not exceeding in the whole, the ſum of 30,000l. and that ſuch further ſum or ſums may be raiſed by further ſubſcriptions to the amount of the ſaid 30,000l. or any part thereof, ſubject to the ſame rules and regulations as are mentioned and contained with reſpect to the ſaid 120,000l.

Sec. 28. THAT, if any *action*, *ſuit*, or *information*, ſhall be brought againſt any perſon or perſons for any thing done by him or them in purſuance of the Act, or in the execution of the powers and authorities, or in the orders and directions therein-before given or granted, every ſuch action, ſuit, or information ſhall be brought or commenced within *ſix calendar Months*

next after the fact committed, and not afterwards, and ſhall be brought, laid, and tried in the county where the matter in diſpute ſhall ariſe, and not elſewhere; and that the Defendant or Defendants, in all ſuch actions or ſuits, may plead the general iſſue, and give this Act, and the ſpecial matter in evidence at any trial or trials to be had thereupon, and that the ſame was done in purſuance and by the authority of this Act; and, if it ſhall appear to have been ſo done, or if any ſuch action, ſuit, or information, ſhall be brought after the time before limited for bringing the ſame, or ſhall be brought or laid in any other county or place than as aforeſaid, then, and in every ſuch caſe, the Jury ſhall find for the defendant or defendants; and, *if a verdict* ſhall be found for the defendant or defendants, or, if the plaintiff or plaintiffs ſhall become non-ſuited, or diſcontinue his, her, or their action, ſuit, or information, after the defendant or defendants ſhall have appeared, or, if, upon demurrer or otherwiſe, judgment ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants, in every ſuch caſe, ſhall have TREBLE COSTS, and ſhall have ſuch remedy for the recovery of the ſame, as any defendant or defendants hath or have for coſts of ſuit in other caſes by law.

Sec. 29. That it ſhall be lawful for His Majeſty, if he ſhall ſo think fit, by his order in council, to diſſolve the ſaid company, or to ſuſpend all or any of the proceedings of the ſame; ſuch diſſolution or ſuſpenſion being to take effect not ſooner than *ſix months* from and after the date of ſuch order in council.

By the foregoing ABSTRACT of the principal Clauſes of the ACT, (which we will here ſhortly recapitulate, with Obſervations on each,) it appears,

Sec. 2 and 16. That the joint ſtock of the company may be any ſum not exceeding 120,000l. to be divided into 4,800 ſhares, or into ſhares of 25l. each: and that no dividend or dividends of profits ſhall be received by the proprietors, exceeding ten pounds per centum per annum, on the amount of the ſums to be contributed; and in caſe there ſhall be any profits of the manufacture beyond ten per cent. per annum, the ſame ſhall be applied to ſuch purpoſes as Parliament ſhall direct.

OBSERVATION.

There is no *pecuniary penalty* in the Act either for exceeding in point of capital, or receiving larger dividends than it allows.

Sec. 17. That the managers of the company ſhall yearly lay, or cauſe to be laid, before each Houſe of Parliament, a *true* account* of the receipt and application of all monies received and applied by the company, and of the quantities of wheat bought, and the prices paid for the ſame, and the quantities in ſtore, of grain, flour and meal; with the quantities of flour and bread manufactured by,

* Why not to be verified upon oath; or how is it to be known to be a juſt account?

and the debts and credits of the company, with the names of the members and number of ſhares held by each.

OBSERVATIONS.

ALL *the regulations of this* 17*th Section would be very applicable and proper, was the yearly account required to be produced to each Houſe of Parliament, likewiſe required to be verified on the oaths of the Managers and their Clerks ;—but as no ſuch verification, or any other is required by the act, but only a true account, it would be eaſy for the company to have an account manufactured for Parliament, from their books, containing only a very ſmall part of the buſineſs tranſacted by them, or of their ſtock ; and thus to increaſe their buſineſs, ſtock, and capital, to any amount they pleaſe, over and above what are ſtipulated by* THE ACT—and the fraud could not be detected.—To enable Parliament to aſcertain the true ſtate of the trade, the accounts given to them ſhould not only be *verified upon oath, but all the real and original books of the company ſhould alſo be produced ſo verified,* that Parliament might compare its copies with them ;—and, conſequently, each Houſe of Parliament ſhould be empowered to enforce this ;—or, at leaſt, to call for the original accounts when it pleaſes.

SEC. 18. By this Section the company are not to manufacture and ſell in any one year, more than 120,000 ſacks of flour or meal, or to make more than 200 ſacks of meal weekly into bread, or to

ſell more than 1000 quarters of wheat in any one week.

OBSERVATION.

Theſe reſtrictions alſo would be very proper if there was any penalty in the act to enforce them, but there is not.

Sec. 19. By this Section the company are not to make any bread for ſale of a *finer* quality than Standard Wheaten Bread, made of the whole meal, with the bran and pollard only taken out.

OBSERVATION.

It is remarkable that though this Section prohibits the company, (but without any pecuniary penalty to enforce the prohibition) from making bread of a *finer* quality than Standard Wheaten Bread, or bread made of the whole meal, with the bran and pollards taken out, (and which is very good and wholeſome bread), yet there is nothing contained in this clauſe, or any part of the act, forbidding the company to make and ſell bread as much *coarſer* as they pleaſe. And various reflections naturally preſent themſelves upon this circumſtance, which we ſhall take an opportunity of conſidering preſently—after we have made ſome obſervations on the 20th, 21ſt, 23rd, 28th and 29th Sections.

Sec. 20. Empowers the Court of Mayor and Aldermen of London to fix the aſſize, or price of Standard Wheaten Bread, upon the principles of Wheaten and Houſhold Bread, and to allow the ba-

kers, for their trouble and expence in making and ſelling the ſame, what in the Court's opinion ought fairly to be allowed.

OBSERVATION.

The laſt mentioned Section is evidently intended to encourage the bakers to make the Brown, or Standard Wheaten Bread;—they having before declared they could not afford to make it.

Sec. 21. No Manager of the Company, or Officer or Servant employed in the manufactory, or any buſineſs relating thereto, ſo long as he ſhall ſo act or be employed, to deal in wheat or other grain, flour, or meal, or act as factor or agent in buying or ſelling thereof, or buy any wheat or other grain, flour, or meal, *on his own account*, to ſell the ſame for profit or gain, or make for ſale or ſell any bread,—under the penalty of FORTY SHILLINGS for every quarter of wheat or other grain, or ſack of flour or meal ſo bought or ſold, and for every ſack of flour or meal ſo made into bread.

OBSERVATION.

This is the only penalty in the act, and as it extends to ſeparate trading by Members and Servants of the Company only, and by no means to any of the Company's concerns, or to any of its Servants acting as ſuch,—the Company and its Servants acting under them are unreſtrained by any pecuniary penalty whatever, either as to capital, dividends, or other joint concerns.

Sec. 23. The Company may raiſe 30,000l. in addition to their before-mentioned capital of 120,000l.

OBSERVATION.

This addition would increase their whole capital to 150,000;—but there is no pecuniary penalty to confine them even to this capital, or to prevent their increaſing it, or their trade, to any amount, even to millions annually.

Sec. 28. Every action, ſuit, or information, which ſhall be brought againſt any perſon or perſons, for any thing done in purſuance of the act, or in execution of the powers and authorities, orders and directions, therein before given and granted, ſhall be brought or commenced within ſix calendar months next after the fact committed; and if the plaintiff ſhall fail to recover the defendant or defendants ſhall have treble coſts.

OBSERVATION.

It appears, by the foregoing obſervations on the previous ſections, that no penalty is inflicted by the Act, for any thing done, or omitted to be done, by the company in its joint capacity, but only for trading or acting by any of them on their own ſeparate account, and therefore no action or ſuit can be maintained againſt the company, or any of its ſervants, ſo long as they act in the joint con-

cern only,—and even if the company had been made ſubject to a penalty, TREBLE COSTS would have been ſufficient to deter any perſon from ſuing for it.

Sec. 29. His *Majeſty*, if he ſhall think fit, may diſſolve the company, or ſuſpend all or any of its proceedings by his order in council, ſuch diſſolution or ſuſpenſion to take place within ſix months after the date of ſuch order.

GENERAL OBSERVATION.

This appears to be the only real reſtraint whatever upon the company or its agents; for, with reſpect to delivering accounts to Parliament, it has already been noticed that ſuch accounts cannot operate as any effectual reſtraint, as not being required to be upon oath or otherwiſe verified, and the original books kept by the company, alſo verified on oath by the perſons keeping them, produced to be examined with the accounts;—or, at leaſt, without both the Houſes of Parliament being reſpectively empowered to call for the originals, ſo verified upon oath, when it pleaſes.

For want of theſe checks and precautions, accounts may be eaſily manufactured for the peruſal and amuſement of Parliament, though they may not contain more than a very ſmall part of the buſineſs done by the company; and, indeed, if the company and its managers entirely neglect to deliver any account whatever to Parliament, it has been already

ſhewn they incur no penalty thereby, as there is no clauſe in the Act to enforce it.

Beſides there is no pecuniary penalty whatever for the breach of any other of the reſtrictive clauſes, either by the Company or any of its agents or ſervants, when acting in the joint trade; but only for individually tranſacting buſineſs on their own accounts.

There being then nothing in reality to prevent the Company from increaſing its capital and trade to any amount it ſhall pleaſe, except an apprehenſion that his Majeſty may iſſue his order in council for its diſſolution, or the ſuſpenſion of its operations; conſequently, if not reſtrained by ſuch apprehenſion, to ſuch an immenſe extent might a ſole monopoly of the corn trade of this country be carried, that the Company might ſoon employ a capital of millions in the concern, and extend their trade and dividends to ſuch a degree as to rival even the monopoly of the Eaſt-India Company, and raiſe the value of each of their 25l. ſhares, to the amount of hundreds, or, perhaps, thouſands of pounds.*

If then, there is nothing in the Act effectually calculated to reſtrain the Company from thus enriching itſelf by a monopoly of the whole or greater part of the Corn and Flour Trade of the nation (the ap-

* The ſhares being conceived to be confined to a certain number, as expreſſed in the Act, the effect of an immenſe extent of the capital and trade, with dividends advanced in proportion, would naturally be, that each of the original ſhares, though only 25l. at firſt, would ſoon become of great value, as here deſcribed.

prehenſion of his Majeſty's Order in Council excepted ;) it follows that, in the hands of the miniſtry, the withholding or granting ſuch order at diſcretion, may be applied to the purpoſes of Miniſterial influence, to an immenſe extent, conſidering the vaſt concern which ſuch a monopoly would ſoon form, if ſuffered to take its natural courſe, without any reſtraint.

Is it then very likely, as every Miniſter endeavours to graſp as much influence, in his own time at leaſt, as poſſible, that any Executive Governement will adviſe his Majeſty to diſſolve or ſuſpend the operations of a Company of Monopoliſts in a buſineſs that may be carried to ſuch an extent, and afford ſuch unbounded influence?—This is more to be wiſhed for than expected.

If the framers and patronizers of the Act really meant to reſtrain the buſineſs of the Company to the ſmall compaſs ſet forth in the 2d and 16th ſections of the Act, why did they not, inſtead of inveſting the power of diſſolution or ſuſpenſion in his Majeſty's Council, veſt it in the Houſe of Commons? This would certainly have been, if not more effectual, at leaſt more *conſtitutional*.

And why did they not alſo, when they directed annual accounts to be laid by the Managers for the Company before Parliament, enact ſome method to prevent falſe and fabricated accounts, either by the methods before-mentioned, of cauſing the copies to be delivered to be verified upon oath, and all the original books and accounts of the Company, verified

likewiſe upon oath, to be produced for the purpoſe of examining the copies therewith ; or, at leaſt, by obliging the Company, at any time or times, when required, to produce their original books and vouchers for the purpoſe of examination ?

And, above all, why, inſtead of no penalties at all, were not very *high* and *ſevere* penalties enacted, for the purpoſes of reſtraining the Company within the bounds propoſed as the extent of its capital and trade ?

Without ſuch proviſions and reſtrictions the capital and trade of the Company, it is feared, may be carried to a very dangerous extent.—The operation of the Albion Mills Company's Trade was very ſenſibly felt, yet, their concerns were very inſignificant compared to the immenſe extent to which the London Incorporated Company, if not effectually prevented, may carry theirs.

Lord Hawkeſbury, in the Houſe of Commons, and the Earl of Liverpool, in the Houſe of Peers, in their zeal for the eſtabliſhment of the London Company, amongſt other arguments of a like import ſtated, that great benefits were derived to the public from the Albion Mills Company ; but from whence they got their information, on the ſubject, is not very eaſy to gueſs ; unleſs, indeed, we ſuppoſe it to be from ſome of the late members of the Albion Mills Company themſelves.

All the inhabitants of London and Weſtminſter, who can remember any thing, muſt remember, for many of them felt, and any of them could have in-

formed *their Lordſhips* that the Albion Mills Company, ſo far from being a benefit, was the means of advancing the prices of Meal and Bread.

The inhabitants of London and Weſtminſter could have informed their Lordſhips of the authenticity of the following ſtatement, as now ſubmitted, by the Author, to the public;—namely, "That, in the year "1779, Bread was from 5¼d. to 6d. the quartern "loaf, and every thing elſe cheap in proportion;—in "December 1784, it was 7d.; in May 1785, 6½d.; "and in December, 6¼d.; the 23d of May 1786, "5¼d.; and it continued at that price to the 15th of "Auguſt following; and from the 24th of October "to the 3d of July 1787, it continued at 6d; *a period* "*of more than eight months;** and on the 27th of "March 1792, the quartern loaf was ſold, *for one* "*week only*, at 6d.—About 1785, the Albion Mills "Company began to be univerſally known, and "about the middle of 1787, bread made a viſible "advance, and continued fluctuating at different "prices till the Albion Mills were burnt, when "it immediately lowered;—but, ſoon after the "commencement of the preſent war, it roſe again, "advancing rapidly to an enormous price, inſo-"much that ſome people became of opinion that "the Albion Mills Company had joined again as a "Company, or rather combination of Factors and "Foreſtallers, to be revenged on the public for the "joy univerſally expreſſed at the deſtruction of their

* Since 1786, Wheat has been more generally cultivated.

" Mills, from which, it was ſaid, much Flour and " Grain had been clandeſtinely exported; whether " true or falſe is not eaſy to ſay."

In the Obſervation on the 19th Section of the above-mentioned Act, by which Section the London Company are reſtrained from making any Bread for ſale of a *finer* quality than Standard Wheaten Bread, though they are left at full liberty to make it as much *coarſer* as they pleaſe; we obſerved that various reflections naturally preſented themſelves on this circumſtance, which an occaſion would be taken to conſider.

Theſe reflections are, firſt, that it ſeems to be equally neceſſary, and indeed a great deal more ſo, to reſtrain any Baker, or Company of Bakers, from adulterating and making Bread too coarſe, and with improper materials, which they are much diſpoſed to do, rather than to reſtrain them from making it too fine or too pure, which is a miſtake they never fall into.

It has been before obſerved, that the Standard Wheaten Bread, though ſomewhat brown, is yet very good and wholeſome; but the leaving the Company at liberty to make Bread as *much coarſer* than the Standard as it pleaſes, is to permit it not only to compoſe the Bread of damaged Corn, but to adulterate it with Beans, coarſe Bran or outſide huſks of Wheat, ground fine for the purpoſe, potatoes, and other mixtures of inferior and injurious quality.

And, in as much as all the other Bakers will now, by the allowance which the Lord Mayor and Alder-

men are empowered by the Act to make them, probably be tempted to make Brown Standard Bread, it will be found, and ſoon become abſolutely neceſſary to reſtrain the London Company, and all the other Bakers, from making Bread of any *coarſer* quality than the Standard Wheaten Bread pointed out by the Act of Parliament:—for, if ſome effectual and ſevere method be not adopted to prevent the adulteration of that kind of Bread, we may ſoon expect to be fed with Bread before unknown in England, and the intended Brown Standard Bread may, by degrees, degenerate into the black and unwholeſome Bread of Germany and Ruſſia, to the great injury of the inhabitants of this once happy Iſland; and, ſo far as Government is concerned, contrary to the good policy of feeding the people well, recommended in the Sixth Chapter.

The Bakers and Mealmen, ſome of them even now make Bread with Flour the produce of Wheat which has been damaged by being kept back from the market; from this ſpoilt material they make Brown Bread which they ſell, one of them two-pence, and another even four-pence lower than the aſſize price of wholeſome Bread.

The Author yeſterday (14th Auguſt 1800) procured a loaf of each of theſe kinds of Bread in order to examine the quality of it, and found that even that which was only two-pence under the aſſize price was ſo muſty, griping, and pernicious, as to endanger the conſtitution of any perſon eating it;—and, with reſpect to the other (four-pence under the aſſize) it

was, if poſſible, ten times worſe, and unwholeſome to be eaten.

Since the above experiment, the Author has received further intelligence of there being various other places in and about London, where bread of a ſimilar quality is ſold, and alſo in diſtant parts of the country; and it is truly lamentable to find, that many Millers and Dealers in Grain, have taken ſhops for *baking*, and others for *ſelling*, at reduced prices, ſuch unwholeſome bread. Theſe circumſtances go to prove, they are determined to get rid of their long-hoarded damaged wheat and flour at any rate, to the great injury of the health of every perſon eating ſuch bread. Many reſpectable Bakers in Town have favoured the Author with the names of ſeveral of theſe miſcreants, but he, from obvious motives, wiſhes to conceal them from an incenſed Public.

CHAP. IX.

Further Reflections on the Eſtabliſhment of the London Company of Mealmen and Bakers;—with a few Obſervations on GOVERNMENT CONTRACTS, *and Town and Country Granaries, and Pariſh Corn Mills, and Ovens:—and a new ſcheme ſubmitted for* fixing *the* Aſſize *of* Bread.

UNDER the laſt head, we have pointed out in a curſory manner, the fatal conſequences that immediately preſented themſelves, as moſt likely to reſult from the eſtabliſhment of "the *London Company for the Manufacture of Flour, Meal, and Bread,*" if not properly reſtricted and kept within *due* bounds by more effectual means than thoſe which are already enacted. Not that the writer is a friend to any ſuch inſtitution, with all the guards and reſtraints that human ingenuity and experience can ſupply. Had this important ſubject been introduced at an early period of the ſeſſions, it would undoubtedly have experienced that ample diſcuſſion which a queſtion of ſuch magnitude was entitled to; but it is no ſecret, as may appear on the face of it, that it was brought forward towards the cloſe of the parliament, in their houſes; and even then hurried through with a precipitancy juſt ſufficient to ſatisfy the forms of the Legiſlature.

One of the plauſible motives of the patrons and friends of this *novel* eſtabliſhment was, that ſuch a monopoly would always poſſeſs a large ſtock of grain and flour, ready for the ſubſiſtence of the inhabitants, which would prevent the effects of any ſudden alarm of ſcarcity.

That this Eſtabliſhment would always have an immenſe ſtock of Grain and Flour in its poſſeſſion, is not to be denied, eſpecially if permitted to extend its capital to an unlimited length, as ſtated in the foregoing obſervations; but it is in this the danger lies, that if not ſtrictly reſtrained by the methods laid down in the foregoing Chapter, or ſome other equally, or even ſtill more, effectual, it will be able to engroſs the whole Corn Trade of the kingdom.

Inſtances of the influence of concerns, leſs important, have frequently offered themſelves to our obſervation. Who that has attended the Corn Exchange, or any other conſiderable market, but muſt have obſerved, that when a few Quakers preſent their grave faces; or, indeed, any other known dealer, or combination of dealers, whoſe purſes are conſidered as long and weighty, whether they purchaſe largely or omit wholly to purchaſe, as their direction, or rather their predetermination may direct, how every word and look of thoſe conſequential men is attended to; and how their conduct is reported, and flies quick as the electric fluid, not only over the whole market, but into all the neighbouring

houſes and avenues reſorted to by dealers in Grain of every deſcription. In a word, their conduct governs the ſale and fixes the prices of Grain and Flour for the week, as if by a *fiat* not to be diſputed or reſiſted.

If then a few individuals, combining together contrary to law, become the focal point of this power and influence,—what may not be apprehended from the London Company, erected on ſo large a ſcale, and armed with all the authorities of an Act of Parliament, as the very Goliah of Monopoly?

But the incalculable influence of a large purſe is not confined to the Corn Trade, it extends to beef, mutton, &c. The examples of which are too numerous within theſe few years.

That Government muſt and ought to be plentifully ſupplied with beef, mutton, &c. for the uſe of our brave tars and ſoldiers, is the wiſh, nay, it is the pride of every Briton; but at the ſame time that we are willing to grant this ſupply,—is it any reaſon that we ſhould ſuffer ourſelves, when there is enough for all, if properly managed, eſpecially when it can be done with ſo much eaſe?

Inſtead of the whole of this buſineſs being committed to ſingle individuals, might it not be ſubdivided or diſtributed into different claſſes. It is the general opinion of men of good ſenſe and reflection, and which might be fortified by convincing proofs, that the prices of butchers' meat, &c. would have been far leſs exorbitant than it has been for ſome

years paſt, if this plan had been adopted; and, if this is a fact, of which there is little doubt, it is preſumed to be a matter not unworthy the conſideration of Government.

If, in conſequence of the influence of Government Contracts, the public pays higher than it ought, it ſuffers in a double degree; firſt and principally in extravagant prices to ſupply its own table, and ſecondly in additional taxes to make up the exceſs paid by Government.

Were the buſineſs of the contract, inſtead of being centered in one, extended to ſeveral, who ſhould be rivals and competitors in purchaſing and ſupplying at low prices; it would not, in that caſe, have ſuch an undue influence on the markets. What is here meant by a competition as to prices is, that if Government contracted with, or commiſſioned *ten*, or any other number of different perſons, each of them to ſupply or purchaſe for its uſe, a certain part of the whole quantity of any article wanted, whether of butchers' meat, bread, flour, or any thing elſe, for a ſhort period; by ſuch ſhort contracts or commiſſions, and ſplitting the whole buſineſs into ſo many different parts, it would thereby reſerve in its hands a conſtant check, conſiſting of the power of renewing or not renewing any ſuch contracts or commiſſions at pleaſure; which would induce each contractor or commiſſioner to purchaſe and furniſh his particular part of the whole ſupply, at the cheapeſt rate and of the beſt

quality poſſible, leſt, when his time ſhould expire, another perſon ſhould be appointed in his ſtead.*

If it be true, as the author hath been very credibly informed by perſons of buſineſs and penetration, who are in the conſtant habits of attending the markets, that the very nod of Mr. Melliſh is ſufficient to command the conduct of the ſellers; and that when he is abſent, but expected, the perſons having cattle to diſpoſe of refuſe whatever is offered for them, in the hope of obtaining higher prices when he appears; it is very devoutly to be wiſhed, that the buſineſs of ſupplying the Navy and Army with fleſh was in more hands, and each individual concerned in it a competitor of the other, by which means the Navy, the Army,† and the people, might undoubtedly be ſupplied at much cheaper rates.

* Why ſhould not Government Contracts be managed in a ſimilar way to others? Why not advertiſe, at certain ſhort periods, for propoſals to be delivered in, and chuſe the cheapeſt? Pariſh contracts, for ſupplying the workhouſe, lighting and cleanſing the ſtreets, &c. and, indeed, moſt other contracts, except thoſe of Government, are conducted on this prudent and ſaving plan, of exciting rivalſhip and competition amongſt a number of candidates for each contract.

† The Navy and Army in 1795 were ſupplied at leſs than half the prices paid by the Public, as will be ſhewn in a ſucceeding Chapter; but yet, even the prices to Government, comparatively ſmall as they were, as well as thoſe to the Public, might have been reduced by putting the buſineſs of the Contracts into more hands.

It appears then that not only in corn markets, but in fleſh markets alſo, a few men with long purſes combined, or even a ſingle man, ſupported by a longer one, can, and ever will, if ſuffered to do ſo, command the prices: and how much more then, may not a Company of Monopoliſts, authoriſed *by law*, though confined in *capital and trade* within the compaſs expreſſed by the Act of Incorporation of the London Company, influence and command the Corn markets?

But admitting the London Company to be left as it is, under no farther reſtraints, what then may it not do? It will then become a monopoly that will ſwallow up monopolies, like an over-grown ſhark that preys on all the inferior fiſh within the range of its voracious jaws.

Not ſo would, or could have been the caſe, if, in the time of the pretended ſcarcity, inſtead of ſetting up a Company of Monopoliſts, our preſent Governors, like thoſe of our anceſtors, had purſued a plan ſimilar to what they did, for laying up a ſtore to be ready in the day of ſcarcity, if any ſuch ſhould happen.

Far from thinking of any eſtabliſhment of a private monopoly of Grain, they conſtantly adopted the more wiſe and equitable mode of collecting and ſtoring Corn in public granaries, to be ſold in the day of exigency; not with any increaſe of emolument for the benefit of Monopoliſts, but at prime coſt; as the following quotations evince.

In the year 1419, Sir *Thomas Eyre*, who had filled

the Chair of Chief Magiſtrate of the City of London, built *Leadenhall*, at his own expence, and gave it to the City, to be uſed as a PUBLIC GRANARY,* though it has ſince been turned to very different purpoſes.

In the year 1511, the Lord Mayor, *Roger Achiley*, ſtored *Leadenhall*, the City granary, with all ſorts of grain.†

For the year 1610, the Lord Mayor and Citizens of London erected *twelve* new public granaries for Corn, at *Bridewell*, capacious enough to hold 6000 quarters of Corn, to be ſold to the poor at prime coſt, in caſe of a ſcarcity, or any combination of the dealers in Corn or Meal.‡

In moſt parts of Italy, § the price of Corn is fixed yearly by municipal magiſtrates. In the territories of Venice, the *Rappreſanti* take an account of all kinds of grain immediately after the harveſt, and purchaſe a ſufficient quantity of it, to be depoſited in granaries, for the conſumption of the capital, at the price fixed for that year. Public granaries are likewiſe in uſe in various other nations.

But the Author does not mean to contend very ſtrenuouſly for either the reſtoration of the ancient mode of depoſiting Corn in granaries in England,

* Entick's Hiſtory and Survey, Vol. I. *p.* 342.

† Same Vol. *p.* 453.

‡ Entick, Vol. II. *p.* 109.

§ This was the ancient practice, and continued up to the time of the recent troubles of the preſent war.

or the practice in that reſpect, juſt ſtated to prevail, or which lately prevailed, in Italy and other countries.

The Author cannot, however, omit that tribute of praiſe which is juſtly due to the wiſdom and policy of Public Granaries, when properly conducted and guided by due regulations; and in caſe the other methods of preventing ſcarcity, interſperſed in theſe ſheets, ſhall not be adopted and carried into effect, he is inclined to think, and could advance many ſtrong reaſons in ſupport of his opinion, that Public Granaries may, for want of them, be found, at ſome future period, not only uſeful but abſolutely neceſſary.

Hence he is induced to give his ideas reſpecting Public Granaries, and the beſt methods which occur to him, both for the eſtabliſhment and conduct of them:—and this he is the more inclined to do, that the Reader may have an opportunity of contraſting them with, and obſerving how different ſuch inſtitutions would be, from the lately eſtabliſhed monopoly of the *London Company* of Mealmen and Bakers.

The beſt mode then, in his opinion, of an eſtabliſhment of Public Granaries (but of which time and ſpace will only permit him to give the outline,) would be to found one or more of them in the Cities of London and Weſtminſter, ſufficient in capacity to contain Corn for the ſupply of all the inhabitants of thoſe Cities, and their adjacent or ſuburbian parts, for two whole years.

That ſuch Granaries ſhall be annually filled with Wheat, ſoon after every harveſt ſhall be gathered in,

the purchaſing of it to begin in the commencement of October, and to cloſe about the end of December, in every year.

That the purchaſe or building of the Granaries, and the purchaſes of Corn to be ſo made to ſtore them, ſhall be under the management, direction, and inſpection of the Lord Mayor and Court of Aldermen of the City of London, with granary or ſtorehouſe keepers, and agents for the purchaſe of Corn, acting under them, with proper ſalaries or gratuities.

That the monies expended in the purchaſe of the Corn, the buildings to contain it, and the ſalaries or gratuities of the perſons employed in the buſineſs, ſhall all be paid for by and out of a rate, to be made (under the direction of an Act of Parliament) in the nature of a county rate, on the inhabitants of the diſtrict to be benefited by the meaſure:—that ſo the grain may be diſtributed to any perſon or perſons who ſhall apply for it, being ſuch inhabitant or inhabitants, whether mealmen, bakers, or others, in any quantity or quantities required, at prime coſt.

That the diſtrict of London ſhall conſiſt of the Cities of London and Weſtminſter, the Borough of Southwark, and their environs, including a ſmall compaſs around.

With reſpect to all the other parts of the kingdom, a like Granary or Granaries ſhould be founded in each county, to be under the direction and inſpection of its Juſtices of the Peace, with officers and ſtorekeepers under them, with proper ſalaries or

gratuities, for the like purpoſes as thoſe of the diſtrict of London and its environs.

The Lord Mayor and Aldermen of the City of London, and the Juſtices of the Peace in each county, at their reſpective quarter-ſeſſions, to be holden in the week next after the Feaſt of St. Michael, in every year, when the harveſt is completed or got in, the time for thraſhing commenced, and a proper judgment can be formed of the crop, to affix the price for the year in their reſpective diſtricts; which, when the crop is abundant, may be as low, or even lower, than 8l, but in no caſe whatever ſhould it be more than 10l. per load. They are then alſo to iſſue their directions and injunctions for the purchaſe of the Corn, at or under the prices affixed, for the uſe of their reſpective diſtricts, ſufficient for the conſumption of the inhabitants for one year at leaſt; and when the harveſt has turned out abundant, a larger quantity may be purchaſed and ſtored up, as a reſource in leſs productive ſeaſons.

In ſuch counties as have large towns corporate in them, the buſineſs of the Granaries within ſuch towns corporate, with the purchaſe and delivery of the Grain, may be veſted by the propoſed Act in the Mayor and Corporation of each town corporate, who may be directed to defray all the expences of the Granaries, ſtorekeepers, and aſſiſtants by a town-rate, independent of the reſt of the county. All the other parts of the county forming a county diſtrict, under the management of its Juſtices, in manner before ſtated.

As the propoſed diſtrict of London is only to compriſe that City, with Weſtminſter, and the Borough of Southwark, and their environs to a certain diſtance round, the buſineſs of erection and management of Granaries for the other parts of the Counties of Middleſex and Surrey, not included in that diſtrict, muſt of courſe be under the management, controul, and direction of the Juſtices of the Peace for the reſpective Counties of Middleſex and Surrey, each acting in their reſpective counties; with like powers and authorities, and like officers under them, with proper ſalaries or gratuities; and in like manner in all reſpects as the other counties.

This the Author ſubmits as the outline only of a ſcheme for the eſtabliſhment and conduct of Public Granaries, which he conceives to be preferable to any eſtabliſhment of a like nature which he has read or heard of, or conceives to be hitherto practiſed in any country.

It is, however, barely an outline, and may, if thought worthy to be put in practice, undoubtedly be improved in the filling up. It is ſufficient at preſent, if it conveys ideas of the ſcheme clear enough to be underſtood.

And, however imperfect the outline may be, the meaſure muſt be confeſſed to be at leaſt more conſtitutional—and Public Granaries to ſupply the people with Grain at prime coſt, infinitely more to be preferred in every reſpect—than a *monopolizing* Company of Mealmen and Bakers, acting for *profit* and *gain*.

The next, and laſt ſubject we are to conſider in this Chapter relates to Corn-Mills.

By the Common Law, ancient and cuſtomary Mills have been always highly reſpected;—and rules and regulations are laid down for the conduct of them, and the Tolls to be taken for Grinding; which Tolls, however, are different in many places; each Manor or Parish having an ancient customary Mill, being guided by its peculiar ancient cuſtom.

And by Act 36 Geo. III. *c.* 85, § 1, it is enacted, That every miller or other perſon keeping a mill for grinding of Corn, ſhall have in ſuch mill a true balance, with proper weights, according to the ſtandard of the Exchequer; and every ſuch miller or other perſon, in default thereof, ſhall forfeit not exceeding 20s.

§ 2. And every perſon who ſhall bring any Corn to be ground, may require the miller, or perſon acting for him or keeping the mill, to weigh, in his preſence, ſuch Corn, and after it ſhall be ground, to weigh the produce thereof; and on refuſal, ſuch perſon ſhall forfeit not exceeding 40s.

§ 3. And every miller or other perſon keeping ſuch mill, ſhall, after grinding any Corn, deliver to the perſon who brought the ſame, if he require it, the whole produce of ſuch Corn in weight, allowing for the waſte in grinding, and by taking toll where toll is hereafter allowed to be taken; and if ſuch Corn ſhall be dreſſed into Flour, then the whole produce in weight, allowing for the waſte in grinding and dreſſing, and by taking toll as aforeſaid; and if ſuch Corn ſhall then appear to weigh leſs than the full weight, after allowing for the diminution aforeſaid,

ſuch miller ſhall, for every buſhel of Corn ſo deficient in weight, forfeit not exceeding 1s. and alſo treble the value of ſuch deficiency.

§ 4. And where toll is hereinafter allowed to be taken, ſuch toll ſhall be deducted before the Corn ſhall be put into the mill.

§ 5. And no miller, or other perſon keeping a mill, ſhall demand, or take any part of the Corn brought to be ground, or the produce thereof when ground, by way of toll, but in lieu thereof ſhall be entitled to payment in money; and if he ſhall demand or take any part of ſuch Corn, or the produce thereof when ground, by way of toll for payment, he ſhall forfeit not exceeding 5l. Provided that where the perſon bringing ſuch Corn to be ground ſhall not have money to pay for the grinding the ſame, ſuch miller or other perſon, with the conſent of the perſon ſo bringing the ſame, may take ſuch part of the produce of ſuch Corn as will be equal to the money-price expreſſed in the Table hereinafter required. Provided alſo, that nothing herein ſhall extend to the mills called *ſokemills*, or ſuch other ancient mills where the right and obligation of the poſſeſſors thereof to grind Corn for particular perſons, or within particular diſtricts, and to take a fixed and certain toll for grinding, are eſtabliſhed by ancient cuſtom and the law of the land; but ſuch mills ſhall continue to take toll in the ſame quantity and manner as they have been accuſtomed to do.

§ 6. And every miller or other perſon who ſhall grind for hire or toll, ſhall put up in ſome conſpicuous place in his mill, and renew when neceſſary, in fair

and legible characters, a Table of the prices in money, or of the amount of toll or multure, for which the ſeveral operations of his mill are to be performed reſpectively; on pain of forfeiting 20s. for every ſuch offence.

§ 7. Provided that nothing herein ſhall extend to any mill kept for private uſe only.

§ 8. All penalties and forfeitures hereby impoſed, may be recovered before one Juſtice where the offence is committed, who, upon conviction, or confeſſion, or oath of one witneſs, may levy the ſame by diſtreſs, half to the informer and half to the poor of the pariſh where the offence ſhall be committed.

Unfortunately, however, the common law with reſpect to mills, (though of excellent and almoſt general utility formerly), has for more than one hundred years been gradually loſing its operation and power, which now only extends over the yet remaining, comparatively ſmall number of cuſtomary mills, the reſt of them having been unduly converted to private uſe and emolument.

This has happened from the perſons intituled by law to have their Corn ground at the manor or diſtrict mills, not having it in their power, or rather being fearful, to contend in a legal diſpute with a man of opulence.

This circumſtance has frequently induced rich corn and flour dealers to purchaſe manor and pariſh mills, for the purpoſe of carrying on an extenſive monopolizing trade of their own;—and not of doing the duties of a manor or pariſh miller, by grinding the griſts of the inhabitants.

And though, as often as this has happened, the inhabitants have, in general, been ſenſible of their juſt claim to demand and have the buſineſs of Griſt grinding performed for them at the mill of their diſtrict, they found it much eaſier to know than to enforce their rights; for when once, either by purchaſe or otherwiſe, a monopolizing miller got into poſſeſſion of a cuſtomary mill, conſcious it was his duty to grind for the inhabitants, and not for himſelf, whenever applied to for that purpoſe, knowing that he could not legally refuſe to do ſo, put them off from time to time, with falſe and frivolous excuſes; ſuch as that his mill was employed in grinding other Griſts, previouſly brought, and that they muſt wait, and each perſon take his turn in rotation, though they well knew he was deceiving them; that the mill was in reality employed *in grinding for himſelf*; and that his pretence that other Griſts were grinding, was merely a fabricated falſity, invented to put them off.

Sometimes his pretence would be, when they left their Griſts for grinding, as they often did, and come for them again, that he had not as yet had time to grind them, appointing the owners to call at a future time; and ſo putting them off from time to time, till at length, their patience being exhauſted and tired out, they entirely gave up the uſe of the mill, and ſuffered the miller to uſe it excluſively in his own trade of monopoly.

All the inhabitants of the diſtricts, of courſe, grumbled, and many of them, no doubt, had altercations with the miller, at thus being deprived of

their rights, but in as much as he was an opulent man, and themſelves, or the greater part of them, poor, they thought it prudent to content themſelves with grumbling, being deterred by fear of expences and loſs of time, from reſorting to the laws for redreſs.

Thus by degrees, a mill which by ancient and immemorial cuſtom and uſage, and conſequently by the common law, was formerly devoted to the ſervice of the Public, became ſo entirely changed as to be conſidered by the miller as a private mill, with which he might do as he pleaſed; and becauſe ſuch witneſſes as could have proved it to be a public one, were all dead, having dropped off one after another in a long ſeries of years, it became at length too late to diſpute the point with him.

Thus, in little more than a century, have many of our ancient manor, and pariſh cuſtomary mills, been loſt to the public, and are now uſed by monopolizing dealers in grain and flour, as their private and uncontroulable property.

Hence it is of very little importance how either the common or ſtatute law ſtands, with reſpect to public griſt-mills, as there is not, at preſent, a ſufficient number of them left, within the power of the law, to anſwer the purpoſes of general utility.

What remedy, then, can or ought to be applied to a misfortune ſo ſerious? To reſtore ſuch ancient public mills as have been loſt, by the death of all the witneſſes who could have proved them to be ſuch, is impoſſible; ſo that the moſt effectual, if not the

only cure for the evil, ſeems to be to treat every mill uſed for grinding Corn, whether ancient or modern, as a public pariſh mill, and enact a law to oblige the owners of each of them to grind Corn for every inhabitant of the pariſh wherein the mill is ſituate.

The law ſo to be enacted ſhould likewiſe extend to every new corn-mill hereafter to be erected, as well as to all thoſe already in uſe; in ſhort, all corn-mills, ancient and modern, built and to be built, and whether moved by water, wind, ſteam, or otherwiſe, ſhould be enacted and declared Griſt grinding-mills, and the owners of them obliged to grind for every perſon inhabiting within the pariſh, who ſhall apply for that purpoſe; or, at leaſt, to exchange every ſuch inhabitant's Corn for Flour, in the manner we ſhall preſently mention.

The tolls to be allowed to be taken at each mill for grinding, ſhould not exceed one quart or three pints, for grinding one buſhel, or rather the value of ſuch toll in money; for which the clauſes above extracted from the Act 36 Geo. III. *c.* 85, and ſuch Tables of prices in money, or amount of toll, as is thereby required to be put up by millers in their mills, may ſerve as a guide or direction.

But becauſe all the new and private mills now uſed by millers and mealmen in grinding Grain into Flour for ſale, in which many of them carry on a very extenſive wholeſale trade, are, as well as all other flour-mills, intended to be ſubjected to the duty of Griſt grinding, for the inhabitants of each

pariſh where the mills are reſpectively ſituate; and likewiſe becauſe it would be inconvenient for ſuch large concerns to be interrupted and impeded by griſt-grinding, the owners of them ſhould be permitted, and indeed it is intended and recommended to permit the proprietors, not only of them but of all other mills, even thoſe ancient ones, whoſe buſineſs has always been that of griſt-grinding, whenever Corn is brought to any of them by an inhabitant of the pariſh to be ground, inſtead of immediately grinding, to receive the Corn, weigh it, and keep it as his own property, returning in lieu of it, to the pariſhioner who brought it, a ſufficient and proper quantity, in weight, of meal of a quality equally good as the Wheat brought by ſuch pariſhioner would have produced; the miller, however, either retaining to himſelf, or being paid by his cuſtomers a proper toll or price for converting ſuch a quantity of Wheat into Flour.

This mode would prevent any reaſonable objection which a mealman, having a mill of his own, not liable by law to Griſt-grinding, might otherwiſe have againſt grinding wheat for his neighbours in ſmall quantities.

It is, indeed, nothing more than compelling him to accommodate the inhabitants of his pariſh with ſmall quantities of Flour for the price or value of the Wheat they bring him; reſerving a reaſonable profit to himſelf.

This, therefore, every miller ſhould be obliged to do, as often as any Wheat ſhall be brought him by

an inhabitant of his pariſh for that purpoſe; and, becauſe many perſons may not have Corn thus to exchange for Flour, he ſhould be likewiſe compelled to ſupply Flour in ſmall quantities, to any ſuch inhabitants, at reaſonable prices in Money.

Thus obliging every miller (and deſcription of millers) converting Wheat into Flour, to ſerve, in ſmall quantity, every inhabitant of the pariſh where his mill ſtands, who ſhall apply for it, would be of infinite uſe to the people at large.

To this end, the refuſal of any miller to ſell to any inhabitant of the pariſh where his mill is ſituate, any quantity of Flour, not leſs than a peck, ſhould ſubject him to a high penalty; and the prices of the ſmall quantities of Flour to be thus ſold *per buſhel* and *per peck*, ſhould be weekly regulated and fixed by the Court of Lord Mayor and Aldermen in London, and Magiſtrates in the country, according to the weekly prices of Wheat; and it ſhould be highly penal for any miller to receive or demand more than the prices ſo to be fixed.

Was every family thus enabled to procure ſmall quantities of flour, at proper prices, immediately from the mill, without paying the intermediate profits of middle dealers and retailers, nothing then (except ovens) would be wanting, even in towns, to enable ſuch perſons as would take the trouble to make it, to have good and wholeſome bread of their own baking.

And to the end that they may not want ovens for a purpoſe ſo very deſirable, the Author could

wiſh a law to be enacted to oblige every baker, in preference to baking bread for ſale, to bake any loaf or loaves brought to him for that purpoſe, by any inhabitant of the pariſh in which he reſides.

As a gratuity to the baker for ſo doing, he ſhould be allowed and paid for the uſe of his oven, for a ſmall or a middling ſize loaf, not exceeding half a peck, one penny; and about three half-pence for every larger loaf: and to prevent the baker from pretending that he has not room for the bread in his oven, he ſhould be obliged, once every day, to heat his oven for the expreſs purpoſe of baking the bread brought to him by the inhabitants of his pariſh.

All the reſt of the day, both before and after he ſhould ſo heat it for the inhabitants, he might heat and uſe his oven as often as he pleaſed in baking bread for ſale; and even when heated for the inhabitants, after taking in all the bread brought to him by them, if his oven would hold more, he might and ſhould then be at liberty to fill the vacancy with his own bread.

This plan would accommodate the inhabitants of the pariſh, without injury to the baker; and for the better convenience of the former, as well as to prevent diſappointment or trouble on either ſide, the hour, in each day, for the inhabitants to bring their bread for baking, ſhould be a fixed and certain one. It ſhould likewiſe be a convenient one, and perhaps ten o'clock in the forenoon would be preferable to any other.

But however ſalutary the meaſure of putting Corn Mills and Ovens under the regulations propoſed might be, it is not the utility of any thing that can ſecure its adoption; and therefore conceiving that next to regulating the Bakehouſes, and cauſing them to bake for the public in the manner propoſed, nothing could, ſo far as relates to the article of Bread, be more beneficial to the public than ſome fair and equitable method of ſetting the *Aſſize* and price of that indiſpenſable requiſite of life, the Author is induced to add and ſubmit a ſcheme for that purpoſe.

So long as the Lord Mayor and Court of Aldermen are obliged to have any retroſpect whatever to the price of Flour, and to take the ſame into conſideration in fixing the aſſize and price of Bread,—we have the ſtrongeſt reaſons, (founded on daily occurring facts,) to conclude that the aſſize and price will always be againſt the conſumer.

The Author's late worthy friend, Alderman *Pickett*, as well as many other enlightened and experienced men, have held the opinion, that rather than the aſſize and price of Bread ſhould be fixed from any conſideration of the price of Flour, it would be much better for the public not to have it fixed at all.* And what would, alone, be ſufficient to convince almoſt any reflecting perſon that this opinion is well founded, *is*, that the mealmen and bakers themſelves are always the moſt ſtrenuous advocates for thus fixing the aſſize and price of Bread.

* Hence it is not very extraordinary the Bakers' Company always oppoſed that Alderman.

There is no doubt but the Act of 37 Geo. III. c. 98, was well meant by the gentleman who firſt brought the bill into Parliament, but, after all the modifications, alterations, and additions, it met with there, it leaves the regulation of the aſſize and price of bread in no better ſtate than it was before; in as much as the Lord Mayor and Court of Aldermen are ſtill obliged to attend to the price of Flour in fixing the aſſize and price of Bread.

In other towns corporate alſo, and county diſtricts, as well as in London, the Magiſtrates cannot, any more than the Lord Mayor and Court of Aldermen of London, fix any aſſize or price of Bread, without taking into their conſideration the price of Flour,—and this very day, whilſt writing on the ſubject, the Author has been informed, that the Mayor and Aldermen of Portſmouth* have refuſed to ſet the aſſize or price of Bread in their juriſdiction, as being firmly convinced that it cannot be done, as the law at preſent ſtands, without injuring, inſtead of benefiting, the public.†

* Before this ſheet was committed to the preſs by the Author, he received the following:—

"*The* MAYOR *and* MAGISTRATES *after due conſideration, have this day determined for the preſent to deſiſt from ſetting an aſſize for Bread, being fully ſatisfied that they thereby conſult the intereſt of the public.* S. BARNEY, *Town Clerk.*"

Guildhall, Portſmouth,
Auguſt 23, 1800.

† But though the Author entirely agrees in opinion with the late Alderman Pickett, and the Mayor and other Magiſtrates of Portſmouth, that the mode of ſetting the Aſſize of Bread is ſo bad, that it

The Flour Trade, (more eſpecially in London,) as well as the mills for converting Wheat into Flour, are in the hands of a few opulent men; who, (Shame! where is thy bluſh?) often *advance* the price of *Flour* when *Wheat* falls.

Hence we frequently on a *Wedneſday* morning read in the public newſpapers a paragraph ſimilar to the following, which is copied from one of the morning papers of this preſent *Wedneſday*, 27th of Auguſt, 1800:

"Yeſterday the Lord Mayor was waited on at the Manſion-houſe, by the Maſter and Wardens of the Meal-weighers' Company, to ſet the aſſize of Bread, and it appearing, upon examination of the meal-weighers' returns, that WHEAT had FALLEN CONSIDERABLY, but FLOUR HAD RISEN upwards of 8*s.* PER SACK, his Lordſhip was under the diſagreeable neceſſity, according to the Act of Parliament, of riſing the price two whole aſſizes, or four pence in the peck loaf, to take place to-morrow."*

would be better for the public not to have it fixed at all;—yet, ſo long as a poſitive law, enjoining the Magiſtrates to ſet the aſſize, remains unrepealed, it certainly is not at the option of Magiſtrates to refuſe it.

* Mr. Alderman Curtis, (when Mayor in 1795 and 1796,) frequently obſerved on the inconſiſtency and impropriety of the price of Flour compared with that of Wheat; and added, that he was much concerned at the ſufferings of the Bakers, occaſioned by the artful practices of the Millers, and recommended them to uſe *American Flour*, as it was the Millers, (or rather the Mealmen,) that prevented a reduction of Engliſh Grain.

It is in vain that Providence is bountiful, ſo long as a diminution in the price of Wheat, has no other effect than to enrich overgrown and extortionate mealmen;—and ſo long as our underſtandings ſhall be inſulted, and the Chief Magiſtrate of our firſt city obliged to liſten to the barefaced and abſurd pretences of Flourmen, intereſted to deceive; and who by juggling together, can impoſe any prices, and cauſe the meal-weighers' returns to be what they pleaſe.

For WHEAT to *fall conſiderably*, and yet FLOUR RISE upwards of 8*s.* PER SACK, at the *ſame time*,* is ſuch an inſult to common ſenſe, that the Mealmen muſt ſurely think their fellow-ſubjects fools, unleſs avarice has ſo ſtupified their own underſtandings, as well has hardened their hearts, as to make them ideots themſelves.

If a tradeſman ſhould act on ſuch a principle,—a tailor for inſtance,—ſuppoſe he ſhould ſay to to a cuſtomer,—Sir, pleaſe to conſider that cloth is *falling*, and the materials of your *new coat* coſt me *much leſs* than thoſe of your former one did, which obliges me to charge *more* for it. What would be thought of ſuch a tailor?—And yet the caſes are preciſely ſimilar.

The very ſtatement of an impoſition ſo groſs and abſurd naturally leads to, and indeed points out,

* From ſimilar occurrences in 1794, 5, and 6, the Author ſtated in the *Reading Mercury*, *St. James's Chronicle*, the *Oracle*, and other papers; that "The alarming riſe of Bread, Coals, and other neceſſary articles of life, was a ſubject which ought to occupy the principal attention of His Majeſty's Councils." In conſequence of which the proprietors of the above papers received many anonymous threatening letters.

the only rational and effectual cure for it, and the remedy is very ſimple.

All that is wanting is a new law, to cauſe the aſſize and price of Bread to be fixed, not, as at preſent, from the prices of Wheat and Flour, but from the price of Wheat only, without any regard whatever to the price of Flour.

The Magiſtrate ſhould not be troubled with the price of Flour.—Wheat alone ſhould be his guide in the price of Bread;—but to prevent the mealmen and others from withholding them, or demanding an undue price from the baker, a table ſhould be inſerted in the propoſed Act, fixing the various prices that Flour ſhould be ſold for, correſponding with all poſſible prices of Wheat, allowing a proper profit for converting the grain into Flour,—and making it highly penal to take more.

By this ſhort and ſimple method, the prices of both *Flour* and *Bread* would be governed as they *ought* to be, *by the price of Wheat.*

And though intereſted men would undoubtedly oppoſe a meaſure which would deprive them of ſo great a ſource of illgotten wealth; yet, there does not ſeem to be a ſingle ſhadow of a reaſon which they can produce againſt ſuch a regulation.

For though it is admitted they would ſometimes have Flour on hand, when wheat ſhould fall, yet, on the other hand, it would frequently happen, and they would take pretty good care that it ſhould, that by their converting much Wheat into Flour when Wheat is at a cheap rate, they would have a conſiderable ſtock by them to ſell with increaſed profit when it ſhould advance in price.

CHAP. X.

On Wincheſter Meaſure,—*and the wholeſome law, which enjoins that the buſhel or meaſure of* Corn, Flour, *and* Salt, *ſhall be* SHAKEN BY THE BUYER: with *the opinion and judgment of the Court of* King's Bench, *on affirming two late* Convictions *for* buying Corn *by a buſhel* different *from the* Wincheſter *meaſure*; *and* Laws *reſpecting* Weights *and* Meaſures in general.

AS it would be extremely beneficial if the ſtandard, called Wincheſter Meaſure, was enforced throughout the kingdom, it may not be improper to inſert extracts from the Acts of 22d and 23d of Cha. II. on that ſubject, which *we* will here do; and then add ſome uſeful hints or obſervations on the utility of enforcing ſuch part of them as requires the BUSHEL OR MEASURE TO BE SHAKEN BY THE BUYER, a regulation ſo wiſe and ſalutary that it is ſtrange it ſhould have been ſuffered to fall into diſuſe.

This *good old law*, like many others, beſpeaks the wiſdom of our anceſtors, in conſtantly making the admonitions and injunctions recorded in Holy Writ, the baſis whereon to ſuperſtruct for the *public good*; and here, no doubt, the ſapient

law-givers had an immediate eye to the advice ſo forcibly given by our Saviour while preaching to the people, viz.

" Give, and it ſhall be given unto you, *good* meaſure, *preſſed* down, and *ſhaken* together, and *running over*, ſhall men give into your boſom. For with the *ſame* meaſure that *ye* mete withal, *it ſhall be meaſured to you again.*" Luke, chap. VI. ver. 38.

By the 22d Cha. II. *c.* 8, § 2.—If any perſon or perſons ſhall *ſell* any Corn or Grain, ground or unground, or any Salt, by any other buſhel or meaſure, than the ſtandard, (ſealed,) *Wincheſter* meaſure, containing eight gallons to the buſhel ſtricken even by the brim of the ſame by the ſeller, he or they ſhall forfeit for every ſuch offence FORTY SHILLINGS, on conviction, before one Juſtice, on the oath of one witneſs; to be levied by the Church-Wardens, and Overſeers, or ſome of them, to the uſe of the poor by diſtreſs and ſale. In default of diſtreſs, impriſonment till payment.

Same Act, § 3.—If any Mayor, or other head Officer of any City, Borough, Corporation or Liberty, ſhall knowingly permit any perſon or perſons to ſell or buy any Corn or Grain, ground or unground, or Salt, by any other buſhel or meaſure, or ſtricken in any other manner than is thereby preſcribed, or ſhall ſuffer within their reſpective juriſdictions, any other meaſure to be uſed; or if upon complaint of the breach of this ſtatute, he or they ſhall not duly puniſh and reform the ſame according to the purport thereof, he or they, for every ſuch offence, upon

due proof and conviction thereof, by preſentment or indictment, before the Juſtices of the Peace of the county where ſuch offence ſhall be committed, at the General Seſſions of the Peace, ſhall forfeit *Five* Pounds, one *half* to the informer or proſecutor, and the other *half* to the poor of the pariſh; to be levied by diſtreſs and ſale of the offender's goods and chattels, and for default of diſtreſs, impriſonment till payment.

By Act. 22d and 23d, Cha. II. *c.* 12, § 2,—Every perſon or perſons who ſhall ſell or buy any Corn, *ground or unground*, or Salt, without meaſureing, being thereunto required, or in any manner being thereunto required, or in any other manner than by the ſaid Act directed, and *without ſhaking the buſhel or meaſure by the buyer*, ſhall forfeit and loſe, beſide the penalty of the former Act, (22d Cha. II.) all Corn, Grain, or Salt, bought or ſold contrary to this Act, or the value thereof, to the perſon or perſons complaining.

THE WORDS, *Corn ground* and *unground*, comprehend all ſorts of Corn and Meal into which Corn may be ground; and of courſe *Wheat* and *Flour*, *Barley* and *Barley Meal*, *Oats* and *Oat Meal*; and *Salt* alſo, the latter being particularly ſpecified in the laſt abſtracted ſection, are *all of them*, when meaſured, TO BE SHAKEN; and the *buyer has a right to inſiſt on ſhaking the buſhel or other meaſure himſelf*; and not only large *wholeſale quantities* meaſured by the buſhel, but likewiſe *quarts*, *pints*, and *half-pints*, *and other ſmall quantities*, ſold by retail are all within

the letter and meaning of the law; and tranſgreſſors in ſmall caſes are ſubject to like penalties as in larger ones,—that is, by the laſt abſtracted Section of the 22d and 23d, Cha. II. the ſeller forfeits the articles ſold, and incurs the penalty of forty ſhillings, ſpecified in the Act 22 Cha. II. *c.* 8, § 2, therein referred to.

The ſhaking Corn, Meal, Salt, or indeed almoſt any other article, in the meaſure, makes an immenſe difference;—and in particular in the articles of Wheat, and other Grain and Meal produced from all ſorts of Grain, well ſhaking the meaſure will cauſe it to contain a great deal more than it will do if the article is put in *lightly* and not *ſhaken* down.

This difference, ſo greatly in favour of the buyer, is yet no more in his favour than it ought to be, in as much as a buſhel, a gallon, a pint, or any other meaſure, cannot be ſaid to be filled when the article it contains is *gently* dropt into *it*, and ſuffered to remain in that looſe ſtate, without being *ſhaken* together, and afterwards as much more added to it as the meaſure will contain.

This being the caſe, it is really ſurpriſing that the purchaſers of Corn, Flour, Salt, or any other commodity included in this excellent regulation, whether in large or ſmall quantities, ſhould have ſuffered themſelves to be impoſed upon ſo long as they have been, and have put up with ſo much leſs than their juſt meaſure, when a law ſo wiſe, and ſo effectual to redreſs the impoſition may be reſorted to.

With reſpect to the *buyer's right* to *ſhake the mea-*

ſure;—and alſo to ſelling by any other meaſure than the *Wincheſter buſhel*, it may be uſeful to inſert in this place, the opinion and judgment of the Court of King's Bench, in the caſe of *The King v. J. Major*.—T. T. 32 Geo. III.

This was a conviction on the before-mentioned ſtatutes of 22d and 23d Cha. II. of the defendant, *Major*, for buying Corn at *Newport*, in the *Iſle of Wight*, by a buſhel different from the *Wincheſter* meaſure. It being a queſtion of general concern, the *Court* took time to conſider it, after which Lord *Kenyon*, C. J. delivered the opinion of the Court as follows :—

" We have hitherto delayed giving judgment in " this caſe, in the hope of diſcovering that the far- " mers in general have been acting under a miſtake; " for it is a matter of notoriety, that in different " parts of the country Corn is ſold by different " meaſures, ſome greater and others leſs than the " *Wincheſter* meaſure. This queſtion depends on " 22d Cha. II. *c.* 8, and the 22d and 23d Cha. II. " *c.* 12. The former impoſes a penalty of forty " ſhillings on any perſon who ſhall ſell Corn or " Grain, uſually ſold by the buſhel, by any other " buſhel or meaſure than the *Wincheſter* meaſure; " the latter recites the former Act, and in order to " enforce it, ſubjects both the buyer and ſeller to an " accumulative penalty, the value of the Corn ſold."

" Theſe Acts are expreſſed in the moſt poſitive " terms; and it was admitted in the argument, that

" there was no ſubſequent law which directly re-
" pealed them. But ſeveral other ſtatutes for the
" regulation of the Corn Trade were referred to,
" directing returns of the average price of Corn to
" be made, and noticing in thoſe returns a cuſto-
" mary meaſure. Theſe, it was argued obliquely,
" though not directly, repealed the ſtatutes of Cha.
" II. We have conſidered this matter very fully,
" and are of opinion, that the argument does not
" lead to that concluſion. We cannot get rid of
" thoſe poſitive laws by a reference to ſubſequent
" ſtatutes which were paſſed for another purpoſe,
" and which leave the former ones ſtill in force."
Conviction affirmed, *Durnf. and Eaſt*, Vol. IV. p. 750.

And in addition to this caſe, it may likewiſe be uſeful to add that of the King *v. Arnold*, on the proſecution of Robert Booth, T. T. 33 Geo. III. which was a conviction before *Launcelot Brown* and *Henry Poynter Stanley*, Eſquires, two Juſtices of the Peace for the county of *Huntingdon*, againſt the defendant for buying Wheat by a meaſure different from the *Wincheſter* meaſure, " Whereby the ſaid Juſtices
" *adjudge that the ſaid Joſeph Arnold hath for his ſaid*
" *offence, forfeited the ſum of* 3*l.* 19*s.* 6*d. being the*
" *value of the ſaid Wheat ſo bought by him as*
" *aforeſaid to be applied and diſtributed according to*
" *law; and alſo adjudge that the ſaid* Joſeph Arnold
" *hath forfeited for his ſaid offence, the further ſum of*
" *Forty Shillings, to be applied and diſtributed accord-*
" *ing to law: and we do further adjudge, that the*
" *ſaid Joſeph Arnold do forthwith pay to the ſaid*

" Robert Booth *the ſum of Twelve Shillings for the* " *coſts in and about the premiſes.*"

—*Sellon* took ſeveral objections to this conviction: 1ſt, The defendant is convicted in Forty Shillings beſides the value of the Corn, whereas he is only liable to the latter penalty inflicted by 22d and 23d Cha. II. *c.* 12. The firſt Act 22d Cha. II. *c.* 8, only affects the *ſeller*. 2dly, The quantity of Corn bought is not ſufficiently aſcertained, nor is any price fixed on it in the information. 3dly, The offence is charged to be contrary to the *Statute*; whereas, *if* the defendant be liable to both the penalties, it is contrary to *two Statutes*. 4thly, The defendant is adjudged to pay coſts; whereas, none are given by the ſtatutes.—*Lens contra*, after referring to the 18th Geo. III. *c.* 19, which enables Juſtices to give coſts in their diſcretion, was ſtopped by the Court.

Lord *Kenyon*, C. J.—" I am ſorry that the obſti- " nacy of the farmers, in ſome parts of the King- " dom, has partly defeated the proviſions of the " ſtatutes of Cha. II. becauſe, after the caſe of " *K. v. Major*, (above) was decided, we had an " opportunity of knowing from the grand juries in " different counties, that the deciſion gave great " ſatisfaction. In order to decide this caſe, we have " only to look at the very words of the ſtatute 22d " and 23d Cha. II. which expreſsly ſubjects the " buyer to both the penalties; for it is thereby " enacted, that the buyer ſhall forfeit and loſe, be- " ſides the penalty of the former Act, all Corn

" bought, &c. that is, he is to forfeit the value of " the Corn, in addition to the penalty of Forty " Shillings, impoſed by the former Act. Nor is " there any objection in ſaying that this forfeiture is " an offence againſt the form of the ſtatute; for all " that reſpects the buyer, is prohibited by 22d and " 23d Cha. II. On reading over the caſe at firſt, I " thought that the objection intended to be taken " was, that the evidence did not ſupport the charge; " but I obſerve that the proof of buying according " to the regulations of the ſtatute, is by § 3, " thrown on the defendant."

Aſhurſt, J.—Concurred.

Buller, J.—" The ſtatute 22d and 23d Cha. II. " *c.* 12, inſtead of ſaying expreſsly that the buyer " ſhall be liable to the penalty of Forty Shillings, " and to a forfeiture of the Corn ſo bought, has ſaid " the ſame thing impliedly; for it ſays that he ſhall " forfeit and loſe, beſides the penalty of the former " Act, (which is a penalty of Forty Shillings,) the " Corn ſo bought, &c. With regard to the objec- " tions, that the quantity is not ſufficiently aſcer- " tained, an information before two Magiſtrates " need not be more particular than an information " filed in this Court; and, in the latter caſe, an " allegation that the defendant 'bought a certain " quantity of wheat, containing, to wit, fifteen " buſhels,' would be ſufficiently certain; and here " the evidence has particulariſed it."—*Per cur.*—Conviction affirmed. *Durnf.* and *Eaſt*, Vol. V. p. 353.

By Act 22d and 23d Cha. II. *c.* 12, § 3,—On

complaint being made to a Juſtice of the Peace, that any kind of Corn, ground or unground, or Salt, hath been bought, ſold, or delivered, contrary to this Act, the proof ſhall lie upon the defendant, to make it appear by the oath of one witneſs, that he ſold or bought the ſame lawfully.

By the 13th Will. III. *c.* 5, a legal *Wincheſter* buſhel, according to the ſtandard in the Exchequer, ſhall be round, with a plain bottom, eighteen inches and an half wide throughout, and eight inches deep.

By 31ſt Geo. III. *c.* 30, § 82, the buſhel by which all Corn ſhall be meaſured and computed, ſhall be the *Wincheſter* buſhel, and a quarter ſhall conſiſt of eight buſhels; and the Juſtices of each county, and the Mayor of ſuch cities or towns as are counties of themſelves, or enjoy exempt juriſdictions, and from which returns are by this Act directed to be made, ſhall cauſe a ſtandard *Wincheſter* buſhel to be provided and kept; and all meaſure ſhall be computed by the ſtricken, and not by the heaped buſhel: And where Corn ſhall be ſold by weight, fifty-ſeven pounds averdupois, of Wheat, ſhall be deemed equal to one *Wincheſter* buſhel; and fifty-five pounds of Rye; forty-eight pounds of Barley; forty-two pounds of Beer or Bigg, and thirty-eight pounds of Oats; and further, that fifty-ſix pounds of Wheat Meal, forty-five pounds of Wheat Flour, fifty-three pounds of Rye Meal, forty-eight pounds of Barley Meal, forty-one pounds of Beer or Bigg Meal, and twenty-two pounds of Oat Meal, ſhall be deemed equal to every ſuch

buſhel of Corn unground. And for the more eaſy meaſuring ground Corn in ſacks, the proper officer may make choice of and weigh two ſacks out of any number not exceeding twenty, and ſo in proportion, and thereby compute the quantity of the whole.

Weights and Measures in general.

What we have juſt obſerved in this Chapter has been confined to the Wincheſter meaſure, as reſpecting *Corn*, *ground* and *unground*, and *Salt*; we ſhall conclude the Chapter by adding ſome uſeful laws concerning *Weights* and *Meaſures* in general.

By the common law, ſelling by falſe weights or meaſures is an offence puniſhable by indictment, fine, and impriſonment.

By the 8th Hen. VI. *c.* 5, in every city, borough, and town, ſhall be a common balance, with common weights, ſealed, and according to the ſtandard of the Exchequer, upon the common coſts of ſuch city, borough, or town, in the keeping of the Mayor or Conſtable, on pain of 10*l.* for ſuch city making default, borough 5*l.* and town where a Conſtable is 40*s.*

At which balance all the inhabitants may freely weigh without paying any thing; taking, nevertheleſs, of foreigners for every draught within the weight of forty pounds, a farthing, and for every draught betwixt forty and one hundred pounds, an

half-penny, and for every draught betwixt one hundred and one thouſand pounds, a penny at the moſt.

And Juſtices of the Peace, Mayors, Bailiffs, and Stewards of Franchiſes, may inquire of offenders againſt this ordinance, and do execution of them that be found faulty by inqueſts, or by their own examination.

By the 22d and 23d Cha. II. *c.* 12, § 4, The Clerk of the Market; and where there is none, the Mayor, or head officer, or other perſon having benefit of the market, ſhall cauſe to be ſealed all meaſures duly gauged, brought to them for that purpoſe.

And by Act 22d Cha. II. *c.* 8, § 3 and 4, If any Mayor, Lord of the Liberty, or other perſon authoriſed to mark or ſeal meaſures, ſhall neglect or refuſe, being required, to ſeal or mark any buſhel, half buſhel, or peck, duly gauged, he ſhall forfeit for the firſt offence, 5*l.* and for every other offence 10*l.* on conviction, by preſentment or indictment, at the county ſeſſions, half to the proſecutor, and half to the poor; to be levied by diſtreſs; and for default of diſtreſs, to be impriſoned by warrant of the Juſtices at ſuch ſeſſions, till payment be made.

By 16th Cha. II. *c.* 19, § 2, Whoever ſhall ſell by any other weight, meaſure, or yard, not according to the ſtandard, or keep any ſuch whereby any thing is bought or ſold, ſhall forfeit 5*s.* on conviction before one Juſtice, Mayor, or other head officer, on oath of one witneſs; to be levied by the Church-

wardens and Overſeers, or ſome, or one of them, to the uſe of the poor, by diſtreſs; in default of diſtreſs, impriſonment till paid.

But by 22d Cha. II. *c.* 8, § 2, Water meaſure, (*viz.* five pecks to the buſhel, *Dalt.* C. 112) in ſea-port towns, ſhall continue as uſual; except in the meaſuring of Corn or Grain, ground or unground, and Salt.

By Act 37th Geo. III. *c.* 143, § 1, "The Juſtices of the Peace at their reſpective petty ſeſſions, within the diviſions, diſtricts, and other places of the ſeveral counties in *England* and *Wales*, are to appoint one or more perſon or perſons, who ſhall have power to examine the weights and balances within ſuch diviſions, diſtricts, and other places reſpectively."

Sec. 2. "The perſon or perſons ſo to be appointed, are authoriſed and required, (having firſt been ſworn, duly and faithfully to execute the office, which oath ſuch Juſtices are hereby authoriſed and empowered to adminiſter,) as often as the ſaid Juſtices ſhall direct, in the day time, to enter into the ſhop, mill, houſe, outhouſes, and other premiſes, ſtall, or ſtanding place of any perſon or perſons who ſhall ſell by retail and weight any wares, proviſions, goods, or chattels whatſoever, and then and there to ſearch for, view, and examine, all weights and balances in ſuch ſhop, mill, houſe, outhouſes, and premiſes, ſtall or ſtanding place, and to ſeize any weight or weights, not being according to the ſtandard in the Exchequer, or any falſe, or unequal ba-

lance or balances, and to detain the ſame, to be produced before the Juſtices in petty ſeſſions, as aforeſaid, upon the hearing of the information or informations hereinafter mentioned; and the perſon or perſons, in whoſe ſhop, mill, houſe, outhouſes, premiſes, ſtall, or ſtanding place, any ſuch defective weight or weights, or any ſuch falſe or unequal balance or balances, ſhall be found, (againſt whom, for ſuch offence or offences, an information or informations is and are hereby directed to be preferred,) ſhall, upon conviction thereof in petty ſeſſions as aforeſaid, upon view or confeſſion, or upon the oath of one or more credible witneſs or witneſſes, forfeit and pay, for every ſuch offence, any ſum of money not exceeding twenty ſhillings, nor leſs than five ſhillings, as the ſaid Juſtices before whom ſuch perſon or perſons ſhall have been convicted, ſhall, in their diſcretion, order and adjudge, together with the coſts and charges attending ſuch conviction, ſuch forfeiture, together with ſuch coſts and charges, to be levied by warrant under the hands and ſeals of the ſaid Juſtices, by diſtreſs and ſale of ſo much of the goods and chattels of the perſon or perſons offending, as ſhall be ſufficient to pay the ſaid penalty, and alſo the expences of making ſuch diſtreſs and ſale."

Sec. 3. "On the conviction of ſuch offender or offenders, the ſaid Juſtices ſhall cauſe ſuch defective weight or weights, or ſuch falſe or unequal balance or balances, to be forthwith broken and rendered uſeleſs, and the materials thereof to be ſold,

and the money, as well as forfeitures, applied in the manner therein mentioned."*

Sec. 4. "If the majority of the inhabitants of any pariſh, townſhip, or place, within ſuch county, riding, or diviſion, ſhall be deſirous that any perſon or perſons ſhall be ſpecially appointed to examine the weights and balances within ſuch pariſh, townſhip, or place, it ſhall be lawful for ſuch inhabitants, and they are hereby empowered, (at a veſtry to be duly holden for that purpoſe,) to nominate one or more ſubſtantial houſe-holder, or houſe-holders, to be approved of and appointed by the ſaid Juſtices at their reſpective petty ſeſſions for the diviſion or diſtrict wherein ſuch pariſh, townſhip, or place, ſhall lie; which perſon or perſons ſo nominated, approved, and appointed, ſhall have the ſame powers and authorities, within ſuch pariſh, townſhip, or place, as are veſted in the perſon or perſons appointed for any diſtrict, diviſion, or place reſpectively."

Sec. 5. "Provided, — that no appointment for ſuch pariſh, townſhip, or place, ſhall be made, until the inhabitants thereof have procured, or cauſed to be procured, the proper weights, according to the ſtandard in the Exchequer, for the uſe of ſuch pariſh, townſhip, or place, to be depoſited in the cuſtody of the perſon or perſons to be appointed as laſt mentioned; and that it ſhall be lawful for the ſaid Juſtices, in their reſpective petty

* For ſuch application and other particulars, too prolix to be inſerted here, ſee the Act, and alſo the Act 35th Geo. III. *c.* 102, therein recited, and in part thereby repealed.

ſeſſions, to order and direct the coſts and charges of procuring ſuch weights, and the recompenſe and ſatisfaction to be allowed to ſuch perſon or perſons, for his or their time and trouble in the execution of ſuch office, within ſuch pariſh, townſhip, or place, to be paid out of the rate made for the relief of the poor, within ſuch pariſh, townſhip, or place."

Should any further evidence be wanting to give weight to the Author's arguments advanced in this and the preceding Chapter, of the neceſſity of ſome more efficient mode than what now ſubſiſts for the regulation of the Markets, he quotes the higheſt average price per quarter of eight Wincheſter buſhels, for a period of more than forty years.

Years.	Prices per Qr.	Years.	Prices per Qr.
1760	1 16 6	1780	1 15 8
61	1 10 3	81	2 4 8
62	1 19 0	82	2 7 10
63	2 0 9	83	2 12 8
64	2 6 9	84	2 8 10
65	2 2 8	85	2 1 10
66	2 3 1	86	1 18 10
67	3 4 6	87	2 1 2
68	3 0 6	88	2 5 0
69	2 5 8	89	2 11 2
1770	2 9 0	1790	2 13 2
71	2 7 2	91	2 7 0
72	2 10 8	92	2 2 4
73	2 11 0	93	2 8 4
74	2 12 8	94	2 11 4
75	2 8 4	95	3 14 5
76	1 18 2	96	3 17 3
77	2 5 6	97	2 12 9
78	2 2 0	98	2 9 7
79	1 13 8	99*	
		1800	

* In this year (January) it was 2l. 2s. and afterwards roſe ſo enormouſly as to be no leſs than 8l. 4s.† per quarter in July 1800.

† Sold for that price at Reading Market 5th July.

The feelings of every humane perſon have long been called into action from the hardſhips experienced by the induſtrious part of mankind, originating chiefly in the highly defective ſyſtem by which our markets are regulated; but how much greater is now the cauſe for the ſerious regret of every well-wiſher of his country, on reflecting, That a ſcanty and exorbitant market ſhould follow a grateful and abundant harveſt;—a myſtery, ſurely, that deſerves to be unravelled. The people of Great-Britain have a right to call ſeriouſly upon thoſe who have ſo wantonly dealt out wretchedneſs inſtead of plenty: whoſe repoſitories and whoſe coffers are overflowing with ſuperfluity, whilſt thouſands of their fellow-creatures are drooping in want and deſpair. Of all ſpecies of miſery, ſurely none is more dreadful than that which condemns a human being to ſtarve in the midſt of plenty—to ſink when ſurrounded by ſupport. What conſolation can ariſe to the authors and abettors of ſuch calamities, who appear apathized by their barbarous traffic, and hardened beyond compunction by their depravity, muſt be left for the great final day—the day of retributive juſtice. In the mean time there is ſome ſatisfaction in reflecting, that the arm of civil power will be ſtretched out to relieve the oppreſſed—to detect and puniſh the flagitious.*

* We ſhould deem it a ſpecies of injuſtice to omit ſtating here the truly laudable and *patriotic* conduct exhibited by the artificers, &c. of the Dock-yard at Portſmouth, who have juſt publiſhed

a paper, in which, after reprobating all idea of rioting, or violation of property, they ſubſcribe the following reſolution:—

"That we and our families will abſtain from making uſe of any Butter, Cream, Milk, and Potatoes, when the market price of Butter ſhall exceed 9d. per pound, Cream in proportion, Milk at 2d. per quart, and Potatoes at 6d. per gallon."

Sept. 2, 1800.

We truſt this praiſe-worthy effort to counteract the iniquity practiſed by a *horde of monſters in human ſhape*, combined for the purpoſe of more immediately diſtreſſing their induſtrious fellow-creatures, will not be eſteemed merely as an enſample deſerving the imitation of others, but have a ſtill greater effect—in operating as a ſtimulus on the Legiſlature to adopt ſuch efficient meaſures as ſhall ſecure to the labourer, not ſimply his hire, but that his hire ſhall be ſufficient to procure him *both* the *neceſſaries* and *conveniences* of life, eſpecially when Providence ſo liberally deals out its bleſſings.

CHAP. XI.

On CORN-MARKETS, *and the* pernicious *conſequences of ſelling by* ſample; *with Obſervations on the beneficial Effects which would reſult from reſtoring the* ancient *Practice of* pitching Corn in the Markets, *and extending it* univerſally *to* all Corn-Markets, *and cauſing Corn to be ſold to the* neighbouring Inhabitants *in* ſmall Quantities. *With ſome Reflections reſpecting* Markets in general; *and the ſupply of the* Metropolis, *in particular, with the* neceſſary Articles *of Life.*

THE ancient and laudable practice of pitching Corn in the Markets was a moſt beneficial and ſalutary cuſtom. It is ſtill continued in ſome market towns; and as to them, and, indeed, any other, where it can be proved to have been the ancient cuſtom, the practice may be enforced by the Common Law of the Land.

But unfortunately, in far the greater number of Corn-Markets, which originally were pitching-markets, the ancient mode of *pitching* Corn has been diſcontinued for a long ſeries of years, and the pernicious cuſtom of *ſelling by ſample* ſubſtituted in its ſtead.

Hence it has happened, in many inſtances, that Markets which were formerly pitching Markets, are by lapſe of time, gone and irrecoverably loſt; the

modern practice of ſelling by ſample, though at firſt an innovation, having been negligently ſuffered to prevail for ſo great a number of years, that the old people, who could have proved them to have been formerly Pitching Markets, are dead, and, for want of their evidence, it would be extremely difficult, if not wholly impoſſible, at leaſt in many inſtances, to re-eſtabliſh the ancient cuſtom.

Nothing, then, can now reſtore the practice, ſo as to render it univerſal, but a *new law*; and, conſidering the very pernicious conſequences reſulting from ſelling by ſample, (ſome of which will preſently be mentioned) the Legiſlature could not, perhaps, render the Public a more eſſential ſervice than by enacting a Law, *declaring all Markets, ancient and modern, where Corn either has been, or hereafter ſhall be ſold, pitching Markets, and* PROHIBITING, under an *effectual penalty*, the ſelling Corn BY SAMPLE, in ANY MARKET WHATEVER.

The practice of ſelling Corn by ſample deprives the middle and lower claſſes of the people, and indeed every body elſe, of the means of purchaſing Corn in ſmall quantities, which in former times, when Pitching Markets were in general uſe, were never refuſed by the ſellers.

Any man could then go to market, and purchaſe any ſmall quantity he pleaſed, and had nothing more to do than to take it to the next Mill, and have it ground, for the ſupply of his family with good and wholeſome bread of his own baking.

But now, ſince, by neglect and diſuſe, moſt of the

ancient Pitching Markets have degenerated into Sample ones, no man can purchaſe (except at the very few Pitching Markets which yet remain) any ſmall quantity of Corn for the uſe of his family; and even where he can purchaſe it, the want of a Public Mill at which the Miller ſhould be obliged to grind it, according to ancient practice, (and which in the Ninth Chapter is recommended to be reſtored, and extended to all mills whatever) deprives him of the power of getting it ground.

But depriving the Public of the means of purchaſing Corn in ſmall quantities, for family uſe, is not the greateſt evil attendant on the modern practice of dealing by ſample; that fatal practice is alſo the *very ſource* and *ground-work* of the *Corn Trade Monopoly.*

All contracts, made from ſample, are for loads and large quantities:—a few rich Millers and other Dealers attend in the parlour of an inn or public houſe, where they are met by the Farmers, who bring with them each a ſmall canvas bag, ſomething larger than a money purſe, containing a few *grains* of *Corn*, which they call a *ſample;* and the *purſe* which contains it, a *ſample bag.*

On view of one of theſe ſamples, the Miller or other Dealer agrees with the Farmer for the purchaſe of as many loads of wheat as the Farmer has ready for ſale, and as the Miller or Dealer is willing to purchaſe, at a price or prices agreed on between them, to be delivered in quality agreeable to the ſample, at ſuch time or times as they agree on; that is, at ſuch

time or times as it ſhall ſuit the Farmer to get it ready for delivery, and the purchaſer to receive it.

Thus the Market is *foreſtalled*, the Corn, inſtead of being brought into it, is carried from the Farmer's barn, by the neareſt road, to the mill, or a private granary of the purchaſer; and thus a few opulent Millers, and other rich Dealers, command the whole Corn Trade of the diſtrict, and monopolize the Grain.

This evil is enhanced by the temptation it holds out to monied men to ſpeculate in Grain, and hence not only Millers, but rich Farmers, and other perſons of property, become ſpeculators in Corn; (and, what is worſe, often agree for it to be delivered at a future period.) Thus they ingroſs it into their own hands, and withhold it from the uſe of the Public till they obtain ſuch advanced prices and exorbitant profits upon it as they pleaſe.

This buſineſs of ſpeculative Monopoly, and bargaining for Corn to be delivered at future periods, at certain prices, is much aided and facilitated by Country Banking Houſes, the owners of which are often ſpeculators in Grain themſelves, or cloſely connected with other perſons who are.—Thus ſpeculations can be, and frequently are, carried to a much greater extent (by the aſſiſtance of Paper Credit) than the fortunes of the perſons concerned would otherwiſe ſupport.

Thus they find it eaſy to make bargains for Corn to any extent, to be delivered and paid for at any future periods they pleaſe; and the ſellers are brought

into the meaſure, and content to keep their Corn by them, to be delivered at the future periods ſtipulated by the contracts, by being in the mean time ſupplied with whatever Paper Money their preſent occaſions require.

This is not only the caſe in the Corn Trade, but in that of Butter, Cheeſe, Hops, and indeed all other neceſſary articles; for, in *all* of them, bargains are too often made for future delivery. In the Hop Trade a remarkable inſtance of this kind lately happened, in the caſe of Mr. *Waddington*, who promiſed the Hop Planters enhanced prices for their Hops, on condition of their withholding them, to be delivered ſolely to himſelf, at future periods; and added, that he would erect a warehouſe for the reception of the Hops, and open a Bank, to ſupply ſuch of the Growers, as wanted it, with caſh in the mean time.

With reſpect to the Corn Market in Mark-lane, it has been for many years paſt under the entire Government of a very few men indeed. Of this fact the Author is enabled to ſpeak with the greater degree of confidence, from deriving his intelligence from a Gentleman of the moſt extenſive knowledge on the ſubject, who was, not many years ago, one of the largeſt Corn-dealers in England, but who has for ſome time paſt ceaſed to be concerned in that buſineſs, or any other.

From the information of that Gentleman, the Author is enabled to ſtate certain particulars concerning the Mark-lane Market, which he could not otherwiſe have come to the knowledge of.

In the years 1772, 1773, 1774 and 1775, the ſupply of that Market was under the direction, and entirely governed by about eight or nine capital dealers, who arranged and directed what Corn, and how much, ſuch and ſuch ſellers, as they from market-day to market-day preſcribed, ſhould bring to the next Market; and thus they fed the Market from time to time with ſcanty ſupplies at enhanced prices.*

The fallacious, but plauſible excuſe, uſed as a pretence for ſuffering monied men to monopolize, and act as they pleaſed with reſpect to the London Corn Market, was, that the city of London, increaſed ſo enormouſly of late in ſize and population, could no longer be regularly ſupplied with Wheat and Flour, adequate to its demands,—without ſuffering contracts to be made with perſons in diſtant counties; and, indeed, without relaxing and diſpenſing with the yet remaining wiſe laws of our anceſtors againſt Foreſtalling, Regrating, Ingroſſing, and Monopoly.

But how ill-founded and illuſive ſuch pretences were, has been pretty clearly ſhewn in ſome of the preceding pages of theſe ſheets, where we have already had occaſion to obſerve upon the practice of London Dealers in various other articles of life, who under like pretences, that the Town could not be ſupplied without it, have long been in the habits of contracting with Graziers, Dairy-men, Farmers, and

* Similar practices prevailed in 1795 and 1796, and have been continued to the preſent time.

others, in diſtant parts of the country, by forehand bargains for Cattle, Butter, Cheeſe, Poultry, and other articles of life; not thereby facilitating the ſupply, but enhancing the prices of the articles ſo foreſtalled and ingroſſed.

Intereſted men having carried theſe pretences ſo far, and been ſuffered to act upon them ſo long, as to double and even treble the prices of all, or moſt of the neceſſary articles of life, it has become high time to ſuppreſs them, (as being calculated only to enrich individuals at the expence of the public,) and to reſort to ſuch of the good old laws of our anceſtors as yet remain in force.

And though few examples have yet been made of Foreſtallers, Regraters, Ingroſſers, and Monopolizers, yet, even thoſe few have been ſerviceable, and the Town is not the worſe ſupplied with proviſions on that account; on the contrary, though the prices yet remain extortionate, we have good reaſon to hope, and not the leaſt to doubt, that ſtrictly enforcing the laws againſt ſuch offences, in future, would greatly check their progreſs; and in proportion as they ſhall be ſo checked, and the offenders puniſhed, the Town will undoubtedly be ſupplied the more abundantly, and at cheaper rates.

CHAP. XII.

Further Obſervations on Corn-Markets, and Markets in general;—and Conſiderations and Reflections on the better Supply of the Nation at large; and providing *the* Metropolis, *in particular, with* all *the* Neceſſaries of Life, *at firſt hand, and* immediately from the Country.

IN our laſt Chapter we have entered pretty fully into whatever concerns Corn Markets, and ſlightly touched upon ſome other particulars; but much remains to be conſidered and regulated for ſtopping the pervertion of Markets in general;—for cauſing due and regular ſupplies of all the neceſſary articles of life, to be brought by the original growers and producers themſelves, to Markets and Fairs, for ſupplying the Metropolis and the whole Nation cheaply and plentifully;—and doing away the extortionate, and, till lately, unprecedented oppreſſions of monopolizing men.

When the people are milked and drained dry by taxes;—when, by the extreme high prices of proviſions, thoſe *induſtrious bees*, the *Mechanics* and *Labourers*, are deprived of their *well-earned honey*, and can make *no reſerve* for the *winter of old age*;—and when the expences in houſekeeping, of perſons

in better ſituations of life, are ſo enhanced as to render it impoſſible for them to lay by any proviſion for their tender offspring;—and are every day leſs and leſs able to contribute to the reſources of government;—the calamity teems, and is pregnant, not only with *individual*, but likewiſe with *national diſtreſs*, and loudly calls for immediate and adequate redreſs.

The remedies which the Author has already ſubmitted in the preceding pages of this publication, together with ſuch as will be added in the courſe of theſe ſheets, he humbly conceives would, if carried into effect, be fully adequate to every purpoſe of redreſs.

With reſpect to the Markets in general, and the ſupply of the Metropolis, in particular, it will evidently be ſhewn, in the courſe of this Chapter, that there would be no greater difficulty in ſupplying the great city of London and its environs with proviſions, under a well-deviſed ſyſtem of Market Regulations throughout the Kingdom, than by leaving the ſupply of it to the management, and at the mercy of Foreſtallers, Regraters, Ingroſſers, and Monopoliſts.

On the contrary, the true way of affording a ſubſtantial and reaſonable ſupply to the City of London, and every other town in the kingdom, would be ſtrictly to enforce the laws already in being, ſo far as they extend, and enact new ones for what they do not reach, ſo as to cauſe *Regulations* to the following

effect to be *eſtabliſhed* and *punctually obſerved*, with reſpect to *markets*.

1ſt, That no Corn or Grain, of any kind whatever, ſhall be ſold or purchaſed, or the property thereof changed, by any contract or agreement whatever, other than in ſome public market where one ſack at leaſt, as a ſample of each load to be ſold, ſhall be publicly pitched in the market, and all the reſidue of the Corn ſo to be ſold ready at hand, in the ſame town, for delivering to the purchaſer or purchaſers.

2dly, That no perſon ſhall expoſe Corn to ſale in any other way whatever than by ſo pitching a ſample ſack of each load in the market, and having the whole in the ſame market town ready for delivery :—to which end every market in the nation, where Corn has been, or ſhall be expoſed for ſale, ſhall be declared and deemed a Pitching Market.

3dly, That all Corn ſo ſold ſhall be delivered by the ſeller to the buyer in open market ;—and it ſhall be highly penal for the buyer to ſell, or expoſe for ſale, or contract to ſell or deliver the ſame Corn to any other perſon or perſons at the ſame market, or to hoard up the ſame, or depoſite it in a warehouſe, and afterwards expoſe it for ſale at an advanced price, at the ſame or any future market in the ſame town.

4thly, That, to the end the inhabitants of every market town, and its ſurrounding neighbourhood, may be ſupplied with Corn in ſmall quantities for the uſe of their families, they ſhould have a right to demand it in any ſmall quantity they pleaſe, to be ſold and delivered to them by the owner, out of any

larger quantity expoſed for ſale in the market, either before ſale, and when in the hands of the original owner, or after ſale, of ſuch larger quantity, in the hands of any purchaſer thereof;—and both buyer and ſeller of any ſuch larger quantity of Corn, to the amount of a load or more when in their reſpective cuſtodies, ſhould be obliged, under a ſevere penalty, to divide out and take from the ſame as many ſmall quantities as ſhall be applied for;—and no ſuch large quantity of Corn ſhould be ſuffered to be taken from the market till all the ſmall buyers ſhall be firſt ſupplied,—and that too at the loweſt prices which Corn of the ſame quality ſhall bear in large quantities.

But not only as reſpecting the mart of Corn, but likewiſe with regard to cattle and animal food of all deſcriptions,—Butter, Cheeſe, Fiſh and Poultry, none of them, or any other neceſſary article of life, ſhould ever be ſuffered to be ſold in any other way than in open market, where they ſhould be carried for ſale by the original growers, rearers, and producers of them, and by no means be ſuffered to be collected by any middle perſon whatever, or to paſs through the hands of any middle perſon, whether corn-trader jobber, huckſter, higler, or any other, till after being firſt ſold by the original owners in public market; and even then no middle man ſhould be ſuffered to interfere otherwiſe than as hereinafter mentioned.

But here no doubt the Monopoliſts concerned in the undue practices of purchaſing up the neceſſaries of life, and engroſſing them into their own hands, under pretences that it is neceſſary for the

ſupply of the great City of London, will be apt to imagine that they have gained a great point; and will probably exclaim, How then is the City of London to be ſuſtained, if you give up, and even ſhut the door againſt the methods now in uſe to ſupply it?

The anſwer is at hand;—the preſent modes of ſupplying the Metropolis are propoſed to be put an end to—becauſe they are pernicious and baneful;—and the moſt eligible methods of ſupplying it, and the nation in general, (as the Author humbly conceives,) would be to cauſe the growers of Corn, and the rearers and producers of Cattle of every deſcription, and of Butter, Cheeſe, Poultry, Fiſh, and every other neceſſary article of life, to carry all their produce to the neareſt Market themſelves, without the aſſiſtance or interference of any middle dealer whatever.

It muſt be evident even upon the ſlighteſt conſideration of a plan like this, that it would cauſe the country Market Towns, and the neighbourhoods around them to be more plentifully and reaſonably ſupplied than they are at preſent;—and with the following additions and modifications, it would extend its benefits equally to the Metropolis.

The proper and natural ſupply of the City of London, any more than a country town, is not by Foreſtalling, Regrating, Ingroſſing, and Monopoly, and lading the articles with the intermediate extortion of middle men; nor are ſuch practices any

more neceſſary to be reſorted to in the ſupply of London than of any other town.

It is admitted, however, that the ſupply of the Cities of London and Weſtminſter, and their appendages, in their preſent increaſed ſtate of population, require the aſſiſtance of very remote parts of the iſland;—and therefore it is by no means intended to prevent any Dealers or Contractors living in London, or concerned in ſupplying it, with any neceſſary article or articles of life from making purchaſes themſelves, or by country agents, at any market whatever, however remote from the Metropolis:—provided all ſuch purchaſes are made in open Market, and under the following reſtrictions.—

It being equally juſt and neceſſary that the inhabitants of all country towns, particularly manufacturing ones, and their neighbourhoods, ſhould be ſupplied with the produce of the diſtricts around them, in any Quantity they want, on reaſonable terms, and in preference to ſtrangers, and dealers for large quantities, whether for the uſe of London or any other place; ſo it will be proper and expedient to extend the foregoing regulations reſpecting the ſale of Corn in ſmall quantities, to every other neceſſary article of life.

Hence with reſpect to Cattle, it is equally neceſſary to provide that no Cattle ſhall be diſpoſed of in any Market, in a drove, or droves, till all the Butchers of that Market Town and its neighbourhood ſhall be firſt ſupplied at the Market with any ſingle Beaſt or Beaſts, or number of Beaſts of any

kind, that ſuch butcher or butchers ſhall think proper to buy for his own killing, under a ſevere penalty, however, on any ſuch country butcher or butchers ſelling by the whole carcaſe, whether alive or dead, any of the Cattle or Sheep ſo bought by him to any other butcher or perſon whomſoever.

It is likewiſe neceſſary that no Cattle or Beaſt of any deſcription, or any Corn, Grain, Butter, Eggs, Cheeſe, Poultry, Roots, Vegetables, or any other article of life whatever, ſhall be permitted to be otherwiſe ſold or diſpoſed of by the original growers, rearers, owners, or producers thereof, than in ſome public market in their own neighbourhood, to which the ſame ſhall be carried by themſelves.

Hence, the practice of country butchers, riding about from farm-houſe to farm-houſe to ſeek for Cattle, Calves, or any other thing; as likewiſe the practices of pig-jobbers, higlers, huckſters, or any other perſon or perſons going about in like manner to collect Pigs, Geeſe, Poultry, (of any kind,) Butter, Cheeſe, Eggs, Fruit, or any other article eaten by man, ſhould be prohibited under ſevere penalties.

Thus every original owner and producer of the neceſſary articles of life, being obliged to bring his produce to a neighbouring market, every country market will be plentifully ſupplied.

And that they may be not only *plentifully* but *reaſonably* ſupplied, it would be highly convenient and ſalutary, that not only all the markets in the nation, but likewiſe fairs, ſuch as Magdalen Hill

and Wey Hill fairs, in all towns for the ſale of Heifers, Sheep, Calves, Cheeſe, Hops, Bacon, or any other article of life, ſhould be regulated in like manner as the markets are propoſed to be.

Formerly any perſon could, at ſuch fairs, as well as at the markets, purchaſe a ſingle hundred or half hundred of Cheeſe, or even a ſingle Cheeſe, or a Flitch or half Flitch of Bacon, or ſmall pocket of Hops ;—but now, any application by an individual, either at market or fair, for any ſuch ſmall quantity is ſure to be anſwered by an inſult, and he is told that the whole lot has been bought up by ſome London contractor, or other monopolizing wholeſale dealer.

Hence it is abſolutely neceſſary to prohibit and prevent any large or conſiderable quantity of any neceſſary article of life whatever from being taken out of any market or fair till after it ſhall have remained there for a convenient period of time ; and that, during all the time ſo to be ſtipulated for it to remain, any perſon or perſons whatever ſhall be ſerved by the proprietor of it, whether the firſt owner, before ſale, or any purchaſer to whom it may be ſold in groſs, with any ſmall quantity or quantities demanded, and at the fair market price, of a large quantity of equal goodneſs.

The enforcement of regulations ſuch as theſe would evidently ſecure a regular and cheap ſupply to the inhabitants throughout the whole country :—and though no Corn, Cattle, nor proviſions of any kind would be permitted by ſuch regulations to be taken

out of any fair or market till the ſtipulated time for the ſupply of the neighbourhood ſhould have elapſed; yet, after a plentiful and cheap ſupply of all the neighbouring inhabitants, (who, from the firſt principles of juſtice and nature, ought to have the preference) there would be an abundant ſufficiency left to be purchaſed up by London Dealers, or any other extenſive contractors, and which they ſhould then be at full liberty to purchaſe, either by themſelves in perſon, or any country or London Agent or Agents commiſſioned to deal for them, and tranſmit the purchaſes immediately to their principals.

Such a well-regulated ſyſtem of enforcing every neceſſary article of life to be brought to market by the growers and producers for the ſupply, in the firſt inſtance, of the neighbouring inhabitants; and which, by the bye, would be nothing more than a revival of the wiſe cuſtoms of our anceſtors, would effectually do away ſome of the moſt heinous evils and extortions which now afflict the land.

No longer then could London Monopoliſts, or any other enrich themſelves and impoveriſh the public by forehand bargains—for Corn, in the Farmers' barns, when growing in their fields, or before it is ſprung up, or even ſown;—or for Butter and Cheeſe, Eggs, and other articles, by contracts and agreements for years to come, and ſo ingroſs a ſucceſſive ſupply into their own hands at certain prices, little caring how exorbitantly they agree to pay, as knowing that by thus ingroſſing the produce they can make the

ſubordinate dealers they ſupply pay whatever advance they pleaſe;—nor would then ſuch underdealers have occaſion to charge the conſumers with an additional profit to themſelves, over and above the extravagant charges of the original monopoliſt.

On the contrary, each of ſuch ſubordinate dealers would then have it in his power to ſupply himſelf immediately from the country producer, and not from a graſping monopoliſt.

Thus a competition would ſpring up amongſt a numerous body of dealers, all purchaſing at the beſt hand, and no longer under the controul of monopolizing maſters;—and London, as well as the country, would conſequently be benefited to an incalculable degree.

It muſt inevitably ſo happen, for then every dealer and conſiderable ſhopkeeper in London would form connexions in the country, to purchaſe for him, at fairs and markets, at firſt-rate prices;—and the neceſſaries of life would then paſs, even in London, from the grower to the conſumer, through only one intervening hand, or rather through the intervening hands of a multitude of original dealers, all acting, as they ought to do, on the true principles of competition.

Nor would the dealers and ſhopkeepers, now ſupplied by a few combining monopoliſts, to whom, in the trueſt ſenſe of the word, they are no better than ſlaves, be leſs benefited than the public by the trade being thus thrown open; for, beſides making

them their own maſters, the competiton which would naturally take place between them would not prevent their gains being increaſed, inaſmuch as all the exceſſive profits now exacted by the monopoliſts would then be ſaved, and the dealers and ſhopkeepers could conſequently, with good profits to themſelves, afford to ſerve the public at prices exceedingly reduced.

CHAP. XIII.

Some additional Remarks on the Conduct of Farmers and Mealmen, occaſioned by the preſent again advancing Prices of Wheat and Flour, as if IN SPITE OF THE BOUNTIES OF PROVIDENCE.—*With Remarks on the* great Waſte *of the Produce of Land and of* Butchers' Meat, *occaſioned by the faſhionable practice of rearing for Market the* largeſt breeds *of Cattle, and fattening them with extravagant profuſion.*

LATE occurrences have rendered it expedient to add ſomething on the preſent ſtate of the Corn and Flour Trade. The reader, by turning back to the Second Chapter, will there find it predicted that the vaſt abundance of the old hoards of Grain, the great quantities of imported Grain, and the promiſing appearances of a productive harveſt, would operate in ſinking the prices of Wheat. He will likewiſe find a ſtatement of the artifices uſed by Farmers and Dealers in Grain to raiſe and keep up the prices, which they renew at the end of every harveſt. This they have now done, not indeed by reſorting to their ancient common-place jargon mentioned in that chapter, but even without aſſigning the leaſt reaſon, or ſhadow of a reaſon whatever for their motives or actions.

The growers and dealers in Grain have done this in ſome degree; but it appeared, on ſetting the Aſſize of Bread in the metropolis for the preſent week, that they have been, as uſual, infinitely exceeded by the meal-men and millers, who have long thrown off

even the appearance or pretence of decency on ſuch occaſions.

But they every day exceed their former exceedings, and outdo their former outdoings :—and the following is the laſt ſpecimen of their improvements, though indeed it is no more than what might be naturally expected from ſuch men ſo long as the law ſuffers them to prey on their fellow-ſubjects with impunity.

COURT of ALDERMEN, 2*d September*, 1800.

(Fourteen Aldermen preſent.)

The Lord Mayor ſaid, that he thought it neceſſary to call them together at this unuſual time on account of the embarraſſing ſtate of the Corn-market; his Lordſhip obſerved, that the public had ſanguinely expected a reduction in the price of Bread would by this time have taken place; but, from the *data* on which he was obliged to proceed in ſetting the Aſſize, it was impoſſible that he could order any farther reduction to be made. On the contrary, upon the grounds of determination pointed out by the Act of Parliament, it would be neceſſary that a conſiderable riſe ſhould be directed; he wiſhed, therefore, that the Court ſhould take the matter into their conſideration, and, by the ſolemnity of their opinion and the influence of their authority, reconcile the public to a circumſtance which was unavoidable.

The meal-weighers' returns were inſpected, by which it appeared, that 14,553 quarters of Wheat were ſold ſince the laſt return at 79s. 2d. per quarter, and 15,562 ſacks of Flour at 88s. 1½d. per ſack;

being in Wheat 2s. 9d. per quarter, and in Flour 9s. 1d. per ſack higher.

The Act of Parliament being inſpected, the Court were unanimouſly of opinion that they muſt raiſe the price of Bread three whole Aſſizes, which makes the price of the quartern loaf 1s. 3d. to take place to-morrow.

God forbid that the Author ſhould encourage, on the contrary he would take and join in any legal ſteps for diſcouraging and ſuppreſſing any tumultuous or riotous infringement of the public peace, whatever might be the cauſe aſſigned for it :—but he cannot help obſerving that the riots and tumults which have recently happened at Nottingham and other places, are more to be attributed to the rapacity of their avaricious oppreſſors than to the miſguided multitude themſelves.

In the month of (January 1799) the price of Wheat was 2l. 2s. per quarter, and it had never been higher than 3l. 17s. 3d. for a ſeries of upwards of forty years. It roſe ſo rapidly and enormouſly from January 1799, that, in the month of July 1800, it was advanced to the unbounded price of 8l. 4s. per quarter ;* and even now, after falling by ſmall proportions for a very ſhort time, it is advancing again, according to the before-mentioned prediction in the Second Chapter ; and is now, in the beginning of September 1800, at the aſtoniſhing price of 3l. 19s. 2d. a reflection ſhocking to the human thought.—And this too at a time when vaſt hoards of old Corn, and immenſe quantities of imported Corn are abounding in the

* See Chap. X, Page 130.

Land; beſides the abundant ſupply of the new harveſt, great part of which is already well gotten in, and is generally acknowledged to exceed, in quantity and quality, the produce of any former year for a long ſeries paſt.*—But of what avail are the bounties of Providence, when intercepted by the unfeeling rapacity of avaricious men?

In the Fourth and Fifth Chapters the evils attendant on large Farms have been pretty fully diſcuſſed;—and in the Fourth Chapter we have conſidered ſome of the effects reſulting from Agricultural Societies.

But there is one very deſtructive practice which eſcaped our notice in that Chapter, and that is the offering and holding out rewards and premiums to encourage the rearing and produce of the largeſt and heavieſt Ox, Sheep, or other fat beaſt.

No doubt ſuch rewards and premiums are well meant by the Noblemen and Gentlemen who ſubſcribe to them; and if the following obſervations are juſt, they will no doubt have their weight, and may probably induce ſome at leaſt of the noble, opulent, and well-meaning ſubſcribers to withhold their contributions.

The cauſing and promoting a competition in the production of large fat Oxen, Sheep, or other

* The following proves what has been before predicted.

Wedneſday, 10th September 1800.

Yeſterday the Lord Mayor ſet the Aſſize of Bread; the Meal-weighers' returns being inſpected, it appeared that Wheat and Flour had riſen in the average, Wheat 7s. 1d. per quarter, and Flour 10s. 11½d. per ſack, his Lordſhip was obliged to raiſe the Bread three Aſſizes and a half, to commence to-morrow. The quartern loaf will *then* be ſold for 1s. 4½d.

Cattle, ſets all the Cultivators of Land and Rearers of Cattle at work to obtain a prize at the next exhibition.

They know they cannot all obtain the higheſt prizes, but, becauſe it is poſſible for ſeveral of them to come in, if not at firſt, at leaſt at ſecond or third rates, they all ſtart together in a purſuit which the example of their ſuperiors, and the rewards and encomiums beſtowed on ſucceſsful candidates, induce them to conſider as highly honourable.

Hence they ſpare no expenſe, and high and extravagant feeding is beſtowed on numbers of fat Cattle, particularly Oxen and Sheep. Thouſands of Landholders become rearers of the largeſt breeds of Cattle; each of whom laviſhes more than three times the ordinary expenſe in their maintenance and ſupport; and finally, in fattening them to an overgrown bulk, waſte in needleſs extravagance what would be ſufficient to rear, ſuſtain, and fatten a far greater number of the ſmaller, and more ſweet and uſeful breeds, on the good and œconomical principles formerly in uſe amongſt the Engliſh Farmers.

This waſte of produce of the earth, ſo laviſhly and improperly conſumed, leſſens the quantity, injures the quality, and is one of the greateſt cauſes of the advanced prices of Butchers' Meat.

It is admitted that a prodigiouſly large and extravagantly fatted Ox or Sheep will weigh an immenſe weight, and produce a great price when ſold to a Butcher; but every pound of it will have coſt the Farmer or Grazier far more than an equal quantity in weight produced from ſeveral ſmaller cattle.

A large rank, groſs, and over fatted, joint of Beef or Mutton is a very conſiderable loſs to the Conſumer, as much of it muſt be melted away in dreſſing, and become the perquiſite of the cook; and what remains for the uſe of the table is yet ſubject to a ſtill greater waſte, as being ſo overcharged with fat, that little, except the leaneſt parts of it, can be eaten with ſatisfaction, and much of the fat is given to cats and dogs.

If then, after all the extravagant waſte of the produce of the earth in the rearing of large-ſized Oxen, Sheep, and other Cattle, and fattening them to an exceſſive ſize, the fleſh is, in great part, waſted, and, even what is eaten, much inferior to that of ſmaller Cattle; it is ſubmitted to all diſintereſted Noblemen and Gentlemen, who, from good but miſtaken motives, have been induced to encourage and promote ſo deſtructive an innovation,—that, by withholding their ſubſcription and ſupport to it in future, and diſcountenancing, to the utmoſt of their power, a practice ſo pregnant with waſte and ſcarcity, they will confer a moſt eſſential ſervice on the Public.

For it muſt be admitted on mature and impartial conſideration, that the modern fancied improvements, in the breed and management of Cattle, are upon a par with the various other imaginary improvements, but real defects of modern huſbandry, treated of at large in the Fourth and Fifth Chapters.

CHAP. XIV.

Concerning Butchers' Meat, Butter, Cheeſe, Poultry, and Fiſh.—Carcaſe Butchers form themſelves into a Club, and fix the Price of Meat as they pleaſe.—Hardſhips of the Cutting Butchers.—Saleſmen, their Conduct expoſed.—Subſtance of Mr. Mainwairing's Speech in the Houſe of Commons in 1797, *on the then high Price of Meat.—Cauſes to which he aſcribed it.—Table of the Product of Live Stock, as paid by the Victualling Office for more than ſix Years.—Number of Cattle ſold in Smithfield in certain Periods in* 1794 *and* 1795.—*Effect of the Appearance of Mr. Melliſh in Smithfield on the Markets.—Some of the Laws and Regulations of our Anceſtors for the Prevention of Combinations, ſo far as reſpected the neceſſaries of Life.*

The following Letter, on the HIGH PRICE OF PROVISIONS, *was ſent to the Author in* 1795.

SIR,

I HAVE ſeen many Letters in the public prints on the high price of Proviſions, but I have not met with one that points out a remedy for this growing evil.—Many are of opinion, that there is a *real* ſcarcity; and others, that it is artificial. The Monopoliſt is ready to avail himſelf of either,—to extend the one, or to add to the other, as ſelf-intereſt, that powerful mover, may ſuggeſt.

It is well known for many years paſt, that a club of Carcaſe-Butchers exiſted, and ſtill exiſts, in Whitechapel, who meet twice a week to ſettle the price amongſt themſelves, at which they intend to ſell to the Cutting Butchers at the eaſt end of the town, who are obliged to purchaſe at that very price, or to go without it.—Similar combinations are no doubt held in other parts of the Metropolis. It is therefore my humble opinion, that an application ought to be made to Parliament to annihilate that peſt to ſociety—the Carcaſe-Butchers.—This would ſtrike at once at the root of monopoly in this line, and would in a great meaſure prevent any artificial ſcarcity in future.

An attempt, truly laudable, to deſtroy this neſarious knot of blood-ſuckers, was made ſome years ago:—a bill for that purpoſe was propoſed to Parliament, but fell to the ground, it is thought, through the influence of a certain ſaleſman—*Mr. W.*

I am farther convinced, that the total abolition of Saleſmen or Brokers, and all that oppreſſive train, who ſell cattle and meat by commiſſion, would be attended on the part of the public with the moſt beneficial effects. For it is as clear as the ſun at noon-day, that each of thoſe claſſes derives a conſiderable profit on every article that is diſpoſed of.—If ſuch a meaſure, I ſay, were adopted, proviſions would then paſs through fewer hands; the reſult would be, that the price would be reduced.—The ſaleſman, it is well known, will always ſupport the extenſive dealer, or

monopolizer, becauſe it is his intereſt; for, were it not for the Carcaſe-Butchers, they would be obliged to ſell their cattle in ſmaller lots, which would occupy a greater portion of their time. At this period, however, cattle are purchaſed for the moſt part by the Carcaſe-Butchers, and ſold out in ſmall quantities to the Cutting Butchers; ſo that, before it reaches the conſumer, it paſſes through three hands, namely, the Saleſman, the Carcaſe Butcher, and the Cutting Butcher. Dr. Johnſon, ſpeaking of the ſudden emergence of government-contractors, obſerves, that "their houſes riſe like exhalations, whilſt their gilt carriages ſhoot along like meteors."—May not this, with equal juſtice, be applied to Saleſmen and Carcaſe-Butchers, who ſtart from obſcurity and indigence into opulence and pride, whilſt the Cutting Butcher remains in poverty, content as it were to feed on the very offals of thoſe to whom his wants oblige him to yield, and to whoſe luxury he daily miniſters.

Yours,

AN ENEMY TO EXTORTION.

In addition to the obſervations contained in the foregoing letter, it may not be improper to add, that it is now almoſt demonſtrable, that the high price which has of late, and which ſtill exiſts in the Metropolis, is in a great meaſure occaſioned by the Carcaſe-Butchers. Thoſe monopoliſts exerciſe no doubt the ſame authority over the retail butchers, which the brewers and diſtillers are known to exerciſe over the publi-

cans. It is much to be lamented, that the bill which was propoſed to parliament in 1796 did not paſs into a law—as the object of it was to pluck up this evil by the root; and ſo indignant were many of the Carcaſe Butchers at the very idea of ſuch a propoſition being brought forward, that many of them refuſed to ſell meat, except at a very advanced price, to ſuch of the retail butchers who exerted themſelves in promoting that ſalutary meaſure.—This circumſtance of itſelf is ſufficient to ſhew the diſpoſition and power of that infernal knot. In the following ſeſſions, my worthy and learned friend, Mr. Mainwaring, addreſſed the houſe, on Monday, March 6th, 1797, on the then high price of meat; he called the attention of the houſe to the improper management of live cattle, as the cauſe of that grievance.—He ſtated, "that in the laſt parliament, a petition had been preſented from the Cutting Butchers, complaining of the hardſhips which they and the public *then* ſuffered, in conſequence of the practices of Foreſtalling, Engroſſing, and Regrating live cattle, which theſe butchers alledged to be the cauſes of the then preſent dearneſs of butchers' meat. That a petition had been referred to a Committee of that Houſe; which had ſat many times, and many witneſſes had been examined;—a report was made, and ordered to be entered upon the Journals. From that report, it appeared, that there was a very numerous claſs of men called Jobbers,*

* Vide the Journals of the Committee.

who made it their buſineſs to go about into the grazing counties, and to buy up large quantities of live cattle. When they got the cattle out of the hands of the graziers, they jobbed them again, and ſold them three or four times. It was notorious, that theſe Jobbers did every thing in their power to procure the cattle from the graziers, in order to prevent them from being ſent directly to the London Market. It appeared that enormous ſums were obtained by theſe means. One inſtance had been ſtated of a Jobber getting 2000l. *in a minute*, by buying up cattle ; * and it was uſual for 2, 3, 4, and 5l. to be gotten upon each beaſt. Nor was this all; the Jobbers now not only bought up the fat, but the lean cattle; which latter they carried to the fairs in the country, and ſold them to the graziers. Another practice complained of was, *Regrating* in Smithfield Market. Regrating had *now* become a *regular trade* ;—a number of perſons went into the markets early in the morning, bought up the cattle, led them to the other ſide of the market, and frequently made two, three, four, and five pounds on each beaſt in half an hour.

* When the Author was at Leiceſter Market in 1796, a Saleſman got 200l. in a ſimilar way.—Nor was the practice confined to cattle only ; in the above market two well-known ſpeculators (one of whom was a banker) bought up the major part of the cheeſe, and depoſited it in warehouſes at Leiceſter ; and afterwards much of it was forwarded by waggons to London : ſuch practices have long been carried on in moſt markets and fairs throughout England.

"Another practice was that of *Foreſtalling*, which was carried on by the *Carcaſe Butchers*;—it was uſual for them not to buy meat in the market; they bought up half of the ſupply for the Metropolis.—The cattle ſo bought up never came to market, but were ſent to private repoſitories. Hence the markets were *made* to *appear thin*, and a *high price* was demanded of the Cutting Butchers. One circumſtance was to be particularly lamented:—Cattle are now ſent to the markets much younger than ever they uſed to be;—this ſhewed either that there was a ſcarcity, or that the breeders were poorer than formerly." What Mr. Mainwaring wiſhed to be done, was, "to cauſe an inquiry into the practices that had enhanced the price of meat. The preſent *mode of proſecution, by indictment*, created *ſo much expence* and *delay*, that *few* could be prevailed upon to *reſort to it*.

"He was well aware, that the Houſe would be circumſpect in laying reſtrictions on trade; and it had been frequently ſaid, that, in a commercial country like this, trade would find its own level. In moſt caſes this was true; but, in *reſpect to the neceſſaries of life, government ought always to take care*, that the *price of proviſions* ſhould be as low as poſſible.* The Committee having inveſtigated the ſubject fully, and

* Mr. Mainwaring's obſervations were juſt, becauſe the ſale of our manufactures chiefly depends on the competition upon which they are put with thoſe of other countries. This circumſtance alone ſhould induce government to watch the cauſes of the preſent alarming riſe in the various articles of proviſions.

examined a number of witneſſes, had reſolved, that the practices of the Carcaſe Butchers, in monopolizing the markets, and of the Jobbers, who bought up, ſpeculated in, and *ſold cattle at advanced prices*, were the principal *cauſes of the dearneſs of* butchers' meat."

Upon which *the Speaker* ſuggeſted, that it would be neceſſary that the report on the reſolutions of the Committee ſhould be read. *The reſolutions were accordingly read.*

Mr. Mainwaring then moved leave to bring in a bill, for the more effectually preventing Engroſſing, Foreſtalling, and Regrating of live cattle.

Mr. Alderman Combe ſeconded the motion.

The motion was agreed to, and the laſt two mentioned gentlemen were ordered to prepare and bring in the bill; but it was afterwards thrown out.*

As it is confeſſed, on all hands, that nothing leſs than the ſtrong arm of the Legiſlature can eradicate this evil;—which may be compared to a certain tree in India, whoſe very branches take root, and whoſe baleful dews poiſon every thing on which they fall.—It would be a grateful taſk, and, we truſt, that the bill will be revived, and that it will be hailed by the people of England, as an earneſt proof of the humanity, wiſdom, and power of the Britiſh Senate.

* A ſimilar bill met with the ſame fate in 1786, owing to the miſguided zeal of Mr. Burke, who ſtrenuouſly oppoſed it.

The following documents may ſhed ſome additional light on this intereſting ſubject.

Number of cattle ſold in certain periods in Smithfield, in 1794 *and* 1795.

It appears, by a comparive ſtatement taken from the City Tolls for the firſt twenty-four weeks in 1794 and 1795, that there was an increaſe in the number of beaſts in the latter year of *ſix thouſand!!* * Notwithſtanding the practice of Foreſtalling the cattle on the road, and Regrating in the market, have been reduced to a ſyſtem, and acted upon in a manner that calls aloud for redreſs.

It has been aſcertained by evidence before the Committee of the City of London, for inquiring into the cauſes of the dearneſs of proviſions, that, in the months of March and April, (1800,) during which the price of meat roſe ſo rapidly, near one thouſand head of cattle were brought to market, beyond the number brought in the ſame months in the year 1799. It alſo appeared, that the purchaſes made by Mr. MELLISH, the government contractor, the laſt year, did not materially exceed thoſe of former years.—His *contracts* have been found, however, *at all times*, to govern the *prices* of the market.†

* This was not denied by the Saleſmen and Carcaſe-butchers; and it was ſaid by *many* of them that this *increaſe* could not be of *much ſervice* to the public.

† As we have already ſtated, that the buſineſs of Smithfield Market is ſuſpended till Mr. MELLISH makes his appearance, we think it might not be an unfair queſtion to aſk the above Gentleman, by what poſſible contrivances he can afford to pay for meat more than double the ſum for which he has contracted to furniſh the Victualling Office.

The following article of intelligence was ſent to the Author, dated April 4th, 1796 :—

" The butchers of Briſtol have reſiſted, and are determined to oppoſe the unreaſonable demands of the Jobbers, and others, who bring cattle to the weekly market there ; and it is a fact, that *more fat cattle have been driven from the market unſold for the laſt two weeks, than for many months before.*—Mutton is reduced one penny per pound there."

The London Committee to conſider, and, if poſſible, lower the high price of proviſions, met ; Alderman CADELL in the chair.—Mr. SHARPE, clerk of Smithfield Market, ſtated, that at the laſt market meat was cheaper,and gave his opinion, that the markets would gradually decreaſe ; and it was the opinion of the Saleſmen, and others, that it muſt be ſo, as a natural conſequence of the ſeaſon.—A MEMORIAL was received and read from Mr. WILLIAM STONE, the ſubſtance of which is, " That the MEMORIALIST deſires to impreſs upon the attention of the committee the meaſures which were taken by our anceſtors upon ſimilar occaſions ; namely, to prohibit by law, under ſevere penalties, the *killing* for *ſale, ſelling*, or expoſing to *ſale*, the carcaſes, or the meat of lambs and calves, for a limited period : the luxuries of the rich would thus yield to the neceſſities of the poor." And then he refers to five different acts of parliament, of Henry VIII. Elizabeth, James I. and others, for his authorities.—Mr. STONE was politely thanked by the chairman, and informed, that if any

additional information was neceſſary, his attendance would be requeſted.

Prices of the Products of Fleſh Meat, Pork, Butter, and Cheeſe, paid by the Victualling Office in the following years:

Years.	Fleſh Meat. Cwt.		lb.	Pork. Cwt.	
	s.	*d.*		*s.*	*d.*
1767	25	5		52	6
1772	26	3		49	11
1773	24	0		42	11¼
1776	28	7			
1786	28	6		51	3
1795*	33	11	3½ $\frac{6\,0}{1\,1\,2}$		
one time at 37s			4 nearly.		

	Butter. Cwt.		Cheeſe. Cwt.	
	s.	*d.*	*s.*	*d.*
1786	46	5¼	37	10
1795	71 to 75 & 76	3	46 to 46	3 to 6

It has been thought, by many perſons, that the Carcaſe-Butchers at London make a very unfair profit, if it is conſidered, that, during the year 1795, the price of meat to the conſumer was nearly, if not quite double what is here noted; it will furniſh abundant matter for reflection to thoſe who are diſpoſed to draw inferences from data of this

* Mr. Mellish, the government contractor, ſupplied the Victualling Office with beaſts, at the above price of 33s. 11d. *per* cwt. which is rather more than 3½d *per* pound, within the firſt three months of this year.

nature.—It is ſaid there are no accounts prior to 1767 for ſome years.

For the year 1799, a contract was made in 1797, *for ready money* :*—

Fleſh Meat. Cwt.	Pork. Cwt.	Butter. Cwt.	Cheeſe. Cwt.
35s	56s	70s	46s 10d
to		to	57s 2d
36		83 3	to
			60 0

Butchers and Cooks.

By a ſtatute in the reigns of Henry III. Edward I. and II. cap. 7. it is there enacted "A Butcher that ſelleth unwholeſome fleſh, after he ſhall be convicted thereof, for the firſt time he ſhall be grievouſly amerced; the ſecond time he ſhall ſuffer judgment of the pillory; the third time he ſhall be impriſoned and make fine; and the fourth time he ſhall forſwear the town. And in this manner ſhall it be done ‡ of all that offend in like caſe."

Combination *between the* Graziers *and* Saleſmen, in the Reign of Edward VI. A. D. 1548.

There being, at this time, a combination between the Graziers, Saleſmen, and others, by which the prices of Butchers' Meat was greatly enhanced in *London*, it was ordered by the King and Council, that Cattle, &c. ſhould be ſold, during certain periods, at ſtipulated prices. For the particulars of which,—ſee Chapter Seventh, pp. 63 and 64.

* In this year (1799) the price of meat, &c. was more than *double*.

‡ Of Cooks offending.

Conspiracy of Victuallers.

Extract of ſo much of the following Acts as relates to the Conſpiracy of Victuallers, to ſell their Victuals at unreaſonable prices.

By the 2d and 3d Edward VI. *c.* 15, "Foraſmuch as of late divers ſellers of victuals, not contented with moderate and reaſonable gain, but minding to have and to take for their victuals ſo much as liſt them, have conſpired and covenanted together to ſell their victuals at unreaſonable prices., For reformation thereof it is ordained and enacted by the King our Sovereign Lord, the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any Butchers, Brewers, Bakers, Poulterers, Cooks, Coſtermongers or Fruiterers, ſhall, at any time, from and after the firſt day of *March* (1548,) conſpire, covenant, promiſe, or make any oaths, that they ſhall not ſell their victuals but at certain prices; that then, every perſon ſo conſpiring, covenanting, ſwearing, or offending, being lawfully convicted thereof by witneſs, confeſſion, or otherwiſe, ſhall forfeit, for the *firſt*, ten pounds to the King; and if he have ſufficient to pay the ſame, and do alſo pay the ſame within ſix days next after his conviction; or elſe ſhall ſuffer for the ſame offence twenty days' impriſonment, and ſhall only have bread and water for his ſuſtenance. And, for the *ſecond* offence, ſhall forfeit twenty pounds to the King, if he have ſufficient to pay the ſame, and do pay the ſame within ſix days next after

his conviction, or elſe ſhall ſuffer, for the ſecond offence, puniſhment of the pillory; and, for the *third* offence, ſhall forfeit forty pounds to the King, if he have ſufficient to pay the ſame, and alſo do pay the ſame within ſix days next after his conviction, or elſe ſhall ſit on the pillory and loſe one of his ears, and alſo ſhall, at all times after, be taken as a man infamous, and his ſaying, depoſitions, or oath, not to be credited at any time, in any matters of judgment."

Combination of Poulterers,

In the Reign of Queen Elizabeth, A. D. 1572.

The Poulterers, this year, entered into a combination to raiſe the price of Poultry, which produced the following table, ſettled by the Lord Mayor and Aldermen on the 4th of *April* in the above year, to aſcertain the price of Poultry-ware, who ſet the beſt Gooſe in a ſhop at 1s. 2d. in the market at 1s. Green Gooſe after *May-Day* at 2d. beſt Butter at 3d. per pound, and other things in proportion.*

Having now laid down the ſeveral Acts for the more effectual regulation of the ſale of Meat, &c. it may not be irrelevant to the ſubject in queſtion to add the following anecdote, if it may be ſo called, which was communicated to the Author by a friend when a part of the Berks cavalry, in which he then ſerved, was quartered at Cardiff. "A farmer, within a few miles of this place, (Briſtol) wiſhed to ſell a ſmall fatted heifer; one butcher offered him 3l. 15s. an-

* Entick's Hiſt. and Survey of London, Vol. II. p. 56 and 57.

other 4l. 4s. and a third 5l. 5s. the utmoſt offered; as he thought the price conſiderably too low, he at length determined to kill and diſpoſe of it to his friends; when, being ſlaughtered, it turned out as good meat as the general run of Briſtol market, and produced as follows :—

		£.	s.	d.
The four quarters weigh 468lb. at 4½d. per lb.		8	15	6
Hide, offal, fat, &c.	—	2	10	0
	Total	11	5	6*

The following LETTER *was alſo ſent to the Author in January* 1795.

SIR,

THE principal inhabitants of Tottenham have made a collection for the poor, and have diſtributed to upwards of 300 families, meat, bread, coals, and potatoes. One circumſtance reſpecting meat, I beg leave to particularly mention to you, to ſhew, that *Meat is not ſo dear as the Carcaſe Butcher would make the public believe.*

			£.	s.	d.
We purchaſed in this month (January) two ſteers at Smithfield, for	—		15	0	0
To the Drover	—	—		2	6
Killing and cutting up	—			6	6
			15	9	0

* This ſtatement fully proves the deceit and iniquity of Saleſmen and Carcaſe Butchers to raiſe the price of meat.

	£	s.	d.
Received for the hides	2	2	4
Nine ſtone of fat —	1	7	0
Head and hearts —	0	6	0
Dogs' meat — —	0	2	6
Tongues and feet —	0	6	0
To 123 ſtone 1lb. meat, 22d. (*i. e.* 2¼d. *per* pound)	11	5	0¼
Tails — —	0	0	7
Total	15	9	5¼

I am, Sir,
Yours, &c.

AN INHABITANT.

To the above may be added the following laudable undertaking, which took place about the ſame time; an Aſſociation of many worthy gentlemen, anxious to alleviate the diſtreſſes of their fellow-creatures, of the pariſh of St. Paul, Deptford, laid out *twenty pounds* in the purchaſe of cattle in Smithfield, which were drove to Deptford and ſold by retail. After diſpoſing of the Meat at a very reduced price, and defraying every expence, to their aſtoniſhment they gained *five guineas*, which they very liberally gave to the poor. And as a proof to what has been before advanced reſpecting the *real* price of butchers' meat, it may be neceſſary juſt to ſtate, that Mr. Melliſh ſupplied the Victualling Office with beaſts at 3½*d. per* pound, in that year. †

* Saleſmen, Jobbers, &c. ſo contrive it now as not to ſell cattle for ſuch benevolent purpoſes.

† See prices of contract in 1795, page 166.

State of the Fish-trade in London.

Heads of the Examination of Mr. George Selby *and others, before the Committee of the Houſe of Commons, on the Fiſh-trade.*

I have tranſacted buſineſs in Newgate-Market ſince the year 1750.

Have you not frequently occaſion to throw away Fiſh which are ſpoilt, before they are ſold?—Yes; when they are at ſea, no uſe can be made of Lobſters; other Fiſh are ſalted or otherwiſe preſerved.

Does this never happen after their arrival?—No.

Do you in general prefer paying the duty to complying with the regulations of the Salt Act, with reſpect to duty-free Salt?—I have always done ſo for this ſort of Fiſh; nor do I know that we could have Salt duty-free for that purpoſe; I think it might be done if we were allowed a Salt-warehouſe at Graveſend, to furniſh ſalt occaſionally as we wanted it, and the bond relieved by the Fiſh ſo cured; this would be a very great relief, as the payment of the duty makes Fiſh ſo cured equal to the deareſt Fiſh we ſell, and upon the whole it would be as profitable to throw them away.

Is Billingſgate market open to all cuſtomers, without preference to the regular Fiſhmongers?—Yes, both in buying and ſelling.

Are Fiſh frequently ſold by the fiſhermen without employing any ſaleſmen?—The ſaleſmen ſell all upon commiſſion for the fiſhermen.

There is a great ſecond ſale at Billingſgate Market, which had been prohibited, but is now allowed and found uſeful ; that is, there are perſons who buy of the ſaleſmen, and retail them to the conſumers.

Is much fiſh purchaſed at Billingſgate Market by perſons who carry it to the diſtant parts of the town and neighbouring villages for their ſupply ?—A great deal, beſides what is purchaſed by the regular Fiſhmongers ; this is a very great convenience, and employs perhaps ſome thouſands of poor perſons. Seven-eighths of the low-price fiſh is diſpoſed of in this way.

Are you acquainted with all the fiſheries on the coaſt from which the London Market is ſupplied ?—Generally. The Cod and Haddock Fiſhery has been carried on on the Well Bank and Dogger Bank of late years,—have made very conſiderable improvement in the Cod Fiſhery off the Orkney Iſlands, this has ariſen within theſe ſeven years, and employs about twenty or thirty ſail ; have ten of my own there. Have been engaged in the Turbot Fiſhery in the Firth of Forth near TWENTY YEARS ago ; it was not ſucceſsful then ; it has been greatly increaſed within theſe laſt two years.

What, in your opinion, would be the moſt proper means of increaſing the ſupply of Fiſh in the London Market ?—I know no other means than an increaſe of ſhipping ; we are every year entering into ſome new ſcheme, and have made very great improvements of late.

Examination of Mr. THOMAS PEETE, *Superviſor of Billingsgate Market.*

I have known the Market twenty-ſeven years, in ſome public capacity.

Are accounts of the quantity and kinds of Fiſh put up by the Saleſmen, as directed by the regulations?—It is impoſſible to put up the account of ſalmon, as the fiſh often arrives before the advice; but accounts of the quantities of the following fiſh are put up:—ling, turbot, cole-fiſh, ſmall cod, whiting, hollibut, ſcate, large cod, haddock, lobſters. I beg leave to add, that the fiſhermen have leave to lay eight days at Graveſend under Act of Parliament, but in fact they never lay above five days at the outſide, but more frequently only two days than five. I ſhould recommend that the Saleſmen ſhould not be permitted to keep a cargo of ſalmon more than three days after their arrival. I am clearly convinced that there is no colluſion in any other kinds of fiſh. Mr. Saunders, ſaleſman at Billingſgate, offered about one month ago to ſend one thouſand tons of fiſh to market, half freſh and half ſalt, at 3d. per pound.

Examination of Mr. JAMES SAUNDERS, *Saleſman at Billingsgate.*

I have done buſineſs at Billingſgate Market twenty-ſix years.

Do you know how many veſſels in all are employed in the Fiſhery?—About one hundred and fifty

ſmacks for the purpoſe of ſupplying London with fiſh for home conſumption, of which eighty or ninety belong to the Port of London, and the reſt to Harwich; there were more before the war. We are often obliged to throw away fiſh for want of ſalt to preſerve them.

Can you judge what proportion of fiſh caught is thrown away for that reaſon?—It often happens in ſummer that the whole cargo is thrown away; it has often happened that the outfit of the boat has coſt 50l. and the cargo has not been worth 1s. although great quantities of fiſh have been caught. The fiſh that ſwallow the hook die in conſequence of it, and muſt be thrown away, except that in the winter it may anſwer to ſalt the largeſt and fineſt fiſh.

Can you judge how much the price would be reduced if no fiſh was obliged to be thrown away?—The quantity now preſerved in ſalt is ſmall, and may ſell for about 2d. per lb. in Billingſgate Market; it is chiefly haddock ſalted for about a fortnight, and I think it might be ſold for a penny a lb. if we could have ſalt duty free; they are very good food with potatoes. It takes fifteen buſhels to cure a ton of fiſh; they are cured in bulk or large vats.

How many voyages does a boat make in a year on an average?—When we go to the Pentland Firth we reckon four voyages from Michaelmas to Lady-day, in the other part of the year about three weeks per trip; on the Dogger Bank five voyages in the winter ſeaſon.

Had you the ſame difficulties with reſpect to ſalt

before the Salt Duty was put under the Exciſe ?— The law ſtands the ſame and the practice continues the ſame ; we may have the Salt Duty free, but the reſtrictions required make it ſo burthenſome, as to prevent our availing ourſelves of it.

Opinion of the Committee on a careful review of the whole Evidence on this intereſting Subject.

" In examining a ſubject in which the feelings of the public are deeply intereſted, and on which many popular prejudices are entertained, it behoved your Committee to exerciſe particular caution and diſcretion. The duty which your Committee owed to the public required them, on the one ſide, to enter into the inquiry with impartiality and ſtrictneſs ; and juſtice to thoſe individuals whoſe characters might be implicated in the evidence brought before them, required the greateſt circumſpection and delicacy in their deciſion. If any circumſtances of combination, or other mal-practices, with reſpect to the ſupply of the Metropolis, had come to their knowledge, ſupported in ſuch a manner as in their opinion to juſtify any further proceedings, your Committee would not have heſitated to bring them to the notice of the Houſe by a ſpecial report, in order that ſuch ſteps might be taken as in the wiſdom of the Houſe might be thought requiſite to obtain the ends of public juſtice ; but, after as ſtrict an inveſtigation as circumſtances admitted, your Committee think themſelves bound to ſtate, that they ſee no reaſon for ſuppoſing the ſupply of fiſh in London to be unfairly conducted.

"They have inſerted in the Appendix to their Report, the evidence of ſeveral of the perſons principally concerned in Billingſgate Market, as well as that of the officers lately and now employed for its regulation, under the authority of the Lord Mayor, to whom all queſtions relative to the conduct of the Market are ultimately referred, and upon whoſe ſuperintendance the proper management of it muſt greatly depend. The inſpection of it, under his authority, is intruſted to four officers, called Yeomen of the water-ſide, who purchaſe their places of the Corporation of the City of London, and execute it by means of a deputy, called the Clerk of Billingſgate Market, themſelves exerciſing an occaſional ſuperintendance. It however appears, that the Clerk of the Market rarely exerciſes any other authority than to receive the dues paid by perſons ſelling fiſh; and, in a few rare inſtances, to ſeize fiſh which he ſuſpects to be unwholeſome, and to direct it to be deſtroyed, or, in caſe its unwholeſomeneſs is diſputed, to bring it before the Lord Mayor for condemnation. The greateſt part of the fiſh is ſold in lots by the ſaleſmen, who are about ſixteen in number, and are employed upon commiſſion by the fiſhermen; but the latter are, if they pleaſe, at liberty to ſell their own fiſh, which, however, ſeldom happens, in conſequence of many of the ſaleſmen being owners or ſharers in fiſhing ſmacks, the cargoes of which are accordingly conſigned to them.

"The market is open to all perſons to buy, and to all to ſell, who can find room, and pay a ſmall fee

to the Clerk of the Market. It is ſtated that, beſides the regular fiſhmongers, a great number of perſons are purchaſers at the market, with a view to ſell again, and that no leſs than ſeven-eights of the lower priced fiſh are diſpoſed of in this manner. Some perſons alſo, but few in proportion, buy Fiſh of the Saleſmen for their own uſe. Your Committee have annexed an account of the number of fiſhing-ſmacks which have entered the Port of London for the laſt twenty years; by which it appears, that for ſix years, from 1780 to 1785 incluſive, the annual average ſupply was 1569 cargoes; for ſeven years, from 1786 to 1792 incluſive, 1971; and for the laſt ſeven years, 1684; the average ſize of the ſmacks is about fifty tons burthen.—This diminution is attributed to the capture of about thirty ſmacks by the enemy; but it appears, by the evidence of Mr. Saunders, ſen. and Mr. James Saunders, (two conſiderable ſaleſmen), that great exertions are making to replace the veſſels which have been loſt; and that ſeveral new fiſhing ſtations have been diſcovered ſince the war, and, in particular, that the turbot-fiſhery has been undertaken with great ſpirit and ſucceſs. It alſo appears, by the evidence of Mr. Selby, a ſalmon factor, that, in conſequence of the mode introduced a few years ago, of packing ſalmon in ice, the Metropolis is now ſupplied with that ſpecies of Fiſh from much greater diſtances than formerly, as well as in a much better ſtate of preſervation, and during a ſeaſon of the year in which it was before thought impracticable to bring them. For further particulars your Com-

mittee beg leave to refer to the Appendix; and have much ſatisfaction in being able to ſtate, upon the whole, that this important branch of trade is in a very flouriſhing and improving ſtate; nor are they aware of any alterations likely to be attended with beneficial effects to the public, except the Corporation of the City of London ſhould carry into effect a removal, or conſiderable enlargement of Billingſgate Market, the contracted ſpace of which operates as a very material inconvenience: and your Committee are informed, this enlargement might be effected by taking down ſome houſes of inconſiderable value, contiguous to the market, belonging to the City.—Another improvement, which muſt alſo be derived from the authority of the Corporation of London, would be to ſubſtitute for the preſent Clerk of the Market, a more reſpectable and efficient officer, upon proper allowances, not acting as a Deputy to the Yeoman of the water-ſide, but immediately reſponſible to the Lord Mayor; and it will be for the Corporation to conſider, whether the office of the Yeoman of the water-ſide is, in its preſent ſtate, of any utility, either to the City or to the public at large.

"Having ſtated thus much on the general ſupply of London with Fiſh, your Committee have only to obſerve, reſpecting the ſecond inſtruction received from the Houſe, that, notwithſtanding their extreme anxiety to deviſe any meaſures by which the preſſure of the preſent extraordinary price of proviſions might be alleviated, no plan has come before them which

they think deſerving recommendation; except ſome ſuggeſtions reſpecting a ſupply of ſalt-fiſh, upon which they ſhall make further remarks hereafter, and which they underſtand is about to be carried into effect, to a certain extent, under the direction of the Lords Commiſſioners of His Majeſty's Treaſury.

"With reſpect to the propoſition of a temporary bounty on the importation of Fiſh, they cannot but obſerve, that the preſent price of the article appears to be a ſufficient encouragement to excite the utmoſt exertions of the fiſhermen.—A temporary permiſſion for the importation of fiſh in foreign veſſels, ſeemed at firſt a more eligible meaſure; but it appeared, that the diſcouragement which it would occaſion among our own fiſhermen, was much more certain than the benefit to be derived from it, as it was at leaſt doubtful whether any neutral veſſel would avail themſelves of the permiſſion."

If, then, the ſudden riſe in the price of Grain and proviſions in general, was artfully attributed to a *ſcarcity* of thoſe articles, ſurely the alarming advance in the price of Coals could not be aſcribed to ſimilar cauſes; for it has ever been well known, that Coals are abundant, and that the mode of of conveyance keeps pace with the conſumption.—The Legiſlature was ſo ſenſible of this, that the Houſe of Commons conceived that they could not diſcharge a more important branch of their duty than to appoint a Committee to examine into the preſent

ſtate of the Coal Trade, and to report their opinion thereof.—And it is but juſtice to ſay, that they have ſpared no pains to reach the root of the evil.—The remedy only now remains to be applied.—Conceiving it therefore to be the duty of every well-wiſher to his country, to collect whatever might contribute to that conſummation ſo devoutly to be wiſhed.—The Author has, without arrogating any thing more to himſelf than he ought, arranged a few materials which may ſerve to ſtrew ſome light on the ſubject. It will be ſeen by the quotations from various Acts of Parliament given in the following Chapter,* that our anceſtors adopted every ſalutary meaſure in their power to guard againſt the encouragement of that triple-headed monſter MONOPOLY, FORESTALLING, and ENGROSSING.

* The Author's frequent recurrence to different Acts of Parliament, originated in a wiſh to afford the completeſt ſatisfaction poſſible to thoſe who have it not in their power to have conſtant reference to our *voluminous* Code of Statutes.

CHAP. XV.

Combination of the Coal Owners at Newcaſtle, ſo early as the year 1590, *to raiſe the price of Coals in London.—Extracts from a charter granted by James I. to the City of London, in conſequence of an artificial Scarcity of Coals at the Time.—Act of Charles II. for the more effectual Prevention of Engroſſing, &c. by regulating the Meaſure of Coals, and empowering the Lord Mayor, &c. to ſet the Price of Coals.—Report of the London Committee on the Office of Coal-meters.—Allowance of* one *chaldron of* Coals *to every Score bought on board Ship.—Magiſtrates empowered to ſet the Price of Coals.—Coal-meters ſubjected to the juriſdiction of the Quarter Seſſions for Surrey.—Dimenſions of Sacks for carrying Coals.—Subſtance of Mr. Clayton's Evidence before a Committee of the Houſe of Commons.—Opinion of the Committee of the Houſe of Commons on the Coal Trade.—Inland Collieries.—Partnerſhip not to conſiſt of more than five Perſons.—Depot for Coals.—Frauds in the Meaſurement of Coals.—Manner in which the Coal Trade is conducted in the Port of London.—Deceptions in the Meaſurement of Coals.*

THE Coal-owners at *Newcaſtle*, in the year 1590, entered into a ſhameful combination to enhance the price of Coals in *London*, which they raiſed from 4s. to 9s. a chaldron;—and, in the year following, the Lord High Admiral claimed a right to the Coal Me-

tage in the port of *London*; but the Mayor and Citizens having ſhewn their indubitable right to the ſame, the Admiral receded from his pretenſions, and to prevent ſuch diſputes, the citizens applied to, and obtained of the Queen Elizabeth a confirmation of their right to the Coal-metage: as may be ſeen in the City Records at *Guildhall*.

In the year 1614, the city of London being greatly diſtreſſed by the artificial ſcarcity of Coals, occaſioned by the bad practices of Monopolizers, Regrators, and Foreſtallers, the King granted a third charter to the Mayor, Commonalty, and Citizens of London, from which we have taken the following extract:—

"*James*, by the grace of God, king of *England*, "*Scoland*, *France*, and *Ireland*, defender of the Faith, "&c. to all to whom theſe preſent letters ſhall come, "greeting. So great is the force of our love towards "our city of *London*, our royal chamber, as what-"ſoever is in us, that we ſhall ſee neceſſary and pro-"fitable to the Mayor, Commonalty, and Citizens "of our City, that we have been ready, freely, to "give from our ſoul to the ſaid Mayor, Common-"alty, and Citizens of our ſaid City: and it pleaſes "us well, that all grants made by our predeceſſors, in "times paſt, to our City of London, be not only "confirmed, but alſo enlarged:" then follows a recital of the ſeveral grants, and amongſt which is the following:—and

"Whereas it is notoriouſly known, that the river "of *Thames* is ſo neceſſary, commodious, and prac-"ticable to the ſaid City of *London*, and without the

" ſaid river, our ſaid City would not long ſubſiſt,
" flouriſh, and continue:—and for that, by *Fore-*
" *ſtalling*, *Ingroſſing*, and *Regrating* of Coals, in and
" at the port of the ſaid City, brought from the water
" of *Thames* aforeſaid,—ſuch Coals are made more
" dear, to the great loſs and prejudice, as well of us,
" as of our ſubjects. And whereas divers ill-diſ-
" poſed perſons, more affecting their own private
" gains and profits than the general and public good
" and benefit of our ſaid city, little weighing the
" conſervation of the ſaid river of late, and at pre-
" ſent do daily and uſually ſell coals, and other things
" by retail, in leſs quantities in boats, commonly
" called lighters, and other veſſels floating, and be-
" ing on the water of *Thames* aforeſaid, after ſuch
" Coals have been unladen from the ſhips and other
" veſſels which firſt brought them within the limits
" aforeſaid, which perſons make the ſame boats or
" lighters as their common ſhops and warehouſes,
" and in them do daily hold, upon the ſaid water of
" *Thames*, a common market for ſelling of ſuch Coals,
" and other things, having one, two, three, and
" ſometimes more boats and lighters lying together,
" and faſtened one to the other in the River of
" *Thames* aforeſaid, by which foreſtalling, ingroſs-
" ing, and regrating aforeſaid, to the great couſen-
" age, damage, and oppreſſion, as well of the poor
" as of the rich, daily increaſes and augments, and
" the price of Coals and other things is made
" dearer."

An Act for regulating the Meaſures and Prices of Coals.

By the 16th and 17th of Charles the II. *c.* 2. §. 1. It is enacted, "That from and after the 6th day of *March*, in the year of our Lord 1664, all ſorts of Coal, commonly called Sea Coals, brought into the river of *Thames*, and ſold, ſhall be ſold by the chaldron, containing thirty-ſix buſhels heaped up, and according to the buſhel ſealed for that purpoſe at *Guildhall* in *London*, and ſo for a greater or leſſer quantity; and that all other ſorts of Coals coming from *Scotland* and other places, commonly ſold by weight and not by meaſure, ſhall be ſold by weight, after the proportion of 112 pounds to the 100 avoirdupois weight, without any fallacy or deceit; upon pain of forfeiture of all the Coals which ſhall be otherwiſe ſold or expoſed to ſale by any woodmonger or retailer of Coals, and the double value thereof, to be recovered by any perſon or perſons that will proſecute for the ſame, in any court of record, or by way of complaint made unto the Lord-Mayor of *London* for the time being, and Juſtices of the Peace within the city of *London* and liberties thereof, or to any two of them, or to the Juſtices of Peace of the ſeveral and reſpective counties and places where ſuch Coals ſhall be expoſed to ſale, or any of them; who are hereby impowered and required to call the parties before them, and to hear and examine ſuch complaint upon oath, which by virtue of this act is to be adminiſtered by them, or any two of them; and upon due proof thereof made to their ſatisfaction, to convict the offenders, and to give warrant under their hands and ſeals for levying the forfeitures ac-

cordingly; the one half thereof to be to and for the uſe of the perſon or perſons ſo proſecuting or complaining, and the other half to and for the uſe of the poor, or repairing of the highways within the ſame pariſh, or any other adjoining pariſh or pariſhes, to be appointed and apportioned by the direction of the ſaid Lord Mayor and Juſtices, by ſuch their warrant as aforeſaid; and the ſaid Lord Mayor of *London* and the Court of Aldermen for the time being, and the Juſtices of the Peace of the ſeveral counties reſpectively, or any three or more of them, whereof one to be of the *Quorum*, are hereby impowered to ſet the rates and prices of all ſuch Coals as ſhall be ſold by retail, as they from time to time ſhall judge reaſonable, allowing a competent profit to the ſaid retailer beyond the price paid by him to the importer, and the ordinary charges thereupon accruing."

§ 2. "And that if any ingroſſer or retailer of ſuch Coals ſhall refuſe to ſell as aforeſaid, that then the ſaid Lord Mayor and Aldermen, and Juſtices of the Peace reſpectively, are hereby authorized to appoint and impower ſuch officer or officers or other perſons, as they ſhall think fit, to enter into any wharf or other place where ſuch Coals are ſtored up, and in caſe of refuſal, taking a conſtable to force entrance, and the ſaid Coals to ſell, or cauſe to be ſold, at ſuch rates as the ſaid Lord Mayor and Aldermen, and Juſtices reſpectively ſhall judge reaſonable, rendering to ſuch ingroſſer or retailer the money for which the ſaid Coals ſhall be ſo ſold, neceſſary charges being deducted."

Made perpetual by 7 and 8 William III. cap. 36.

Office of Coal-meters in London.

March 16th, 1713, a committee was appointed by the City of London to inquire into the ſtate of the Office of Coal-Meters in London. The ſaid committee in their report to the Court of Lord Mayor and Aldermen, after reciting the right of the city to ſaid office, and ſeveral acts of Common-Council for the regulation thereof, made in the 24th *Henry* VIII. 44th *Elizabeth*, 18th *Jac.* I. and on *March* 3, 1653, declared, "We are therefore of opinion, that the ſaid ancient order and method of the Coal-Office ought to be obſerved and kept, and that it is incumbent on the Alderman of *Billingſgate-Ward* to ſee the ſame performed. And that as well the maſter-meters, as the ſaid under-meters, are liable to be puniſhed, by ſuſpenſion, removal, or otherwiſe, as this court ſhall think fit. That the ſaid maſter-meters have no right to employ what deputies, or under-meters they pleaſe; but that it is the right of the Lord Mayor and Aldermen to allow of the deputies, or under-meters, and that no other ought to be employed but ſuch as they allow. That the ſaid deputies, or under-meters, ought not to be diſplaced, but upon a reaſonable cauſe, and that upon application to the Lord Mayor and Aldermen for that purpoſe: but the Alderman of the ſaid ward may ſuſpend an under-meter, till the pleaſure of this court is known therein. That the books of the Coal-Office do concern the right of the inheritance of this city, and ought to be uſed and inſpected by this court, as they ſhall find occaſion, &c. That no under-meter ought to begin to work in Coals, before a *cocket* of *permit*

has been iſſued from the Lord Mayor's office, &c." Which report being read, it was approved of by the ſaid court, and ordered to be entered in the *repertory*. And it was thereupon ordered, "That the ſaid maſter-meters do obſerve the ancient method and uſage of ſhipping their under-meters, according to their ſeniority. And that the under-meters do not take their fellow's labour out of their turns, upon pain of being ſuſpended from their labours for ſo doing, by the Alderman or Deputy of *Billingſgate-Ward*."

One chaldron allowed to every ſcore bought on board ſhip. By 3 Geo. II. cap. 26. §. 10.

"And whereas, by ancient cuſtom in the port of *London*, one chaldron of Coals is allowed into every ſcore bought on board ſhip, and ſo in proportion for a greater or leſſer quantity, which is called *ingrain*, notwithſtanding which many perſons dealing in Coals do load the ſame from on board ſhip bare meaſure, without the aforeſaid *ingrain*, to the great injury of the conſumer." Be it therefore further enacted by the authority aforeſaid, "That all lightermen and other perſons dealing in Coals, who ſhall, from and after the 24th of *June*, 1730, ſell to any perſon or perſons any parcel or quantity of Coals as and for pool meaſure, *videlicet*, ſuch meaſure as is uſually given or allowed in the Pool or river *Thames*, including the aforeſaid *ingrain*, and ſhall not juſtly and without fraud deliver to ſuch perſon or perſons, buyers or conſumers thereof, the full quantity of Coals ſo ſold, and accordingly meaſured from on board ſhip to ſuch lighterman or other dealer in coals, by the meter, together with the *ingrain* thereof, ſuch ligther-

man or other dealer in Coals ſhall, for every ſuch offence, forfeit and pay the ſum of *one hundred pounds*."

And by 17 Geo. II. *c.* 35. § 1. "Three Juſtices (1 Q.) may ſet the prices of Coals called Sea-Coals, brought by ſea into any river, creek, or port, and ſold by retail, after landing in any place to which the 16th and 17th Cha. II. reſpecting the prices of Coals brought into the river *Thames*, doth not extend, as they ſhall judge reaſonable, allowing a competent profit to the retailer, beyond the price paid by him to the importer, and the ordinary charges; and if any ingroſſer or retailer of ſuch Coals ſhall refuſe to ſell as aforeſaid, then the ſaid Juſtices ſhall appoint ſuch perſons as they ſhall think fit to enter into any place where ſuch Coals are ſtored up, and in caſe of refuſal, taking a conſtable to force entrance, and the ſaid Coals to ſell at ſuch rates, rendering to the owner the money for which they were ſold, neceſſary charges being deducted. And if any action be brought againſt the Juſtice, Conſtable, or other perſon, for any thing done in purſuance of this act, he may plead the general iſſue; and if the verdict be found for him, he ſhall recover damages and treble coſts."

By the 26th of Geo III. *c.* 14. § 2. The Coal-Meters are ſubjected to the juriſdiction of the Quarter Seſſions for *Surrey*.

Dimensions of Sacks for carrying Coals.

By 26 Geo. III. *c.* 83, § 6, it is enacted, "That, from and after the 24th day of *July*, 1786, no Sacks to be made uſe of for the carriage of Coals within the limits of this Act, which ſhall not be full four

ſeet four inches in length, and full twenty-ſix inches in breadth, after they are made ſhall be ſealed or marked at any Office or Offices, or by any Officer or Officers appointed, or to be appointed for the purpoſe of ſealing and marking ſuch Sacks, by any Law now in being reſpecting the ſame."

By § 7, it is enacted, "That if any Wharfinger or Carrier of Coals ſhall, at any time or times hereafter, during the continuance of this Act, make uſe of any Sack or Sacks for the carrying of Coals, within the limits of this Act, of leſs dimenſions than four feet in length and two ſeet in breadth; or ſhall wilfully make, or procure to be made or uſed, any falſe buſhel or other meaſure, and be convicted thereof by the Oaths, (or, being of the people called *Quakers*, by affirmation) of two or more credible witneſſes, before one or more of his Majeſty's Juſtices of the Peace for the City of *London*, or the County of *Middleſex*, he ſhall, for every ſuch offence, forfeit and pay the ſum of *Five Pounds*."

By the 26 Geo. III. *c.* 108, § 2, it is enacted, "That, in all caſes where any Juſtice or Juſtices of the Peace is or are by this Act, authoriſed to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Juſtices reſpectively to adminiſter ſuch Oath, and take ſuch Affirmation."

Coal-trade at Newcastle.

Subſtance of the Evidence given by Nathaniel Clayton, *Eſq. Town-clerk of Newcaſtle, before the Committee of the Houſe of Commons, on the Coal Trade.*

From this evidence it appears that there are four claſſes of perſons engaged in this trade at Newcaſtle.

Firſt, The *Coal-owner*, who is either the owner of the Mine himſelf, and carries it on, or lets it on leaſe to thoſe who do.

Secondly, The worker of the mine, who employs a deſcription of men called *Fitters*, to negotiate the ſale of the Coals with the Ship-owner.

Thirdly, Theſe fitters have an allowance of from ONE SHILLING TO ONE SHILLING and THREE PENCE per Newcaſtle chaldron for that agency, and for furniſhing keels for conveying the Coals to the ſhip. The *fitter* is not at liberty to ſell at more or leſs than the price fixed by the Coal-owner.

Fourthly, The Ship-owner who purchaſes the Coals from the fitters or agents, as they may be properly called.

Coals of the ſame quality when put on board ſhips, bear the ſame price at Newcaſtle, although the ſituation of different collieries makes the expence of working much greater to ſome than to others. As to the expence of bringing the Coals, a great deal depends on the depth of the mines, on the quantity of water to which the mine is ſubject, on the particular nature of the mine, whether it has a good roof (as the miners call it,) or whether ſubject to foul air or not, whether it works clean or foul, whether the workings are at a great diſtance or at a ſhort one from the mouth of the pit, &c. &c. Some mines therefore might underſell others conſiderably, but they do not: they ſell the Coals according to the price they bear in the market. The witneſs has heard and knows to a certainty, that from time to time, there has exiſted an agreement among the

Coal-owners (which they call regulations :) the owners and workers meet together, and take an account of the general vend of Coals for a ſtated time, generally for a year. They add to this quantity, a large quantity, probably one-half, probably more ; they then divide this aggregate quantity amongſt all the collieries on the river Tyne, allotting to each colliery a certain proportion of that aggregate quantity, according to the powers of working, and other circumſtances attendant on each reſpective colliery. The actual vend of the ſtated period when aſcertained, is diſtributed among the collieries in like manner, each part of the actual vend bearing the ſame proportion to the actual vend as the allotted part bore to the original quantity taken as a baſis to the vend. Thoſe collieries, which have in the courſe of the year ſold more than their allotted quantities, pay to thoſe collieries which have ſold leſs, a certain allowance per chaldron, but he does not know how much. There is no reſtriction as to the quantity any colliery may ſell, provided it pays to thoſe deficient in quantities the ſtipulated compenſation. *He thinks, however, this has the effect of preventing collieries well ſituated from ſelling more than they otherwiſe would do.* The allowance made by the exceeding to the deficient collieries he does not think equal to the profits which the former derive from that exceſs ; and he conceives that the allowance made is a ſort of admiſſion of the collieries, that have vended leſs than their quantities, into a participation of the profits reſulting to the collieries that have exceeded their exceſs. But he thinks that the trade could not be carried on unleſs

collieries of all deſcriptions were called in aid of the general vend. One of the motives which led to the agreement already ſtated, was the ſecuring to the mine-adventurer an adequate profit on that adventure, and the public have finally been benefited by it. Before the meaſure was reſorted to, a conſiderable number of collieries on the Tyne did not ſell at ſuch a price as paid the ordinary expences of working. If they had ſtopped, the remaining collieries might have put any price on the Coals at their diſcretion. Coal-mines, when once wore muſt either be kept as a current going colliery or be entirely abandoned; and if once abandoned, it is almoſt impoſſible to recover them. It was to ſave many perſons intereſted in Collieries from ruin, and the country from great hazard, to be expected from a number of people being put out of employment, that this agreement was entered into, although it was againſt law. The effect of it is, that the very Collieries which were then on the eve of total abandonment, continue now to ſupply and vend their Coals. He does not think the price of coals at the pit's mouth adequate to the great expenditure of capital, and the riſk always attendant on Coal Mines. He does not think that this agreement limited the ſupply of coals. This agreement has laſted for the laſt ten years, but does not now exiſt, owing to ſome difficulty in the arrangement of quantities. If this agreement ſhould not be renewed, he is of opinion that Coals of an inferior quality would leſſen in price, till it would be impoſſible for thoſe Collieries to be main-

tained; and that the final reſult would be a monopoly in a certain number of Collieries, highly detrimental to the public; and that thoſe would not be adequate to ſupply the demand of the Metropolis. *The witneſs concluded with giving his opinion, that if the Coal Trade was left perfectly open, Coals would come to the conſumer at a legitimate price.* The agreement was no more than a meaſure of counteraction againſt certain circumſtances in the trade, which, when done way, the agreement ought alſo to be done away; but he cannot ſtate in detail what thoſe circumſtances are.

The Committee of the Houſe of Commons impute the riſe of the price of coals to the following general cauſes:

1ſt, The agreement among the coal-owners in the North, called "The limitations of Vends," by which each colliery on the Tyne is limited, ſo as not to exceed a certain quantity in each year. Thoſe coal-owners who are found to have ſhipped more coal than their ſtipulated quantities, being bound to make a certain allowance at the end of each year to thoſe who have ſhipped leſs, and to conform to certain other regulations adopted by the coal-owners on the River Wear.—2d. The detention of the ſhips at Newcaſtle, waiting for the beſt coals, ſometimes a month or ſix weeks.—3d. The want of a market in London which would admit of a competition, perfectly free, in the purchaſe of Coals.—4th. The circumſtances of the Coal-Buyer being, in many inſtances, owner both of ſhip and cargo, which (as appears in evidence) leads to conſiderable abuſe.—5th.

The want of a ſufficient number of meters, and of craft for unlading the ſhips on their arrival in the river, and the occaſional delays in procuring ballaſt on their return voyage.—6th. The practice of mixing the beſt Coals with thoſe of an inferior quality, and ſelling the whole ſo mixed as of the beſt kind —And 7th. To frauds in the meaſurement, carriage, and delivery of Coals.

Inland Collieries.

To ſhew the practicability of procuring a ſupply of inland Coals for the Metropolis, we extract the following paſſages from the evidence of Mr. Raby, iron maſter:

Provided Parliament were diſpoſed to take off the reſtriction which now prevails on bringing Coals within a certain diſtance of London, by inland navigation? The preſent price is 6s. per ton for the beſt Staffordſhire Coal of 21 cwt. of 120 lb. to the cwt. inferior Coals are ſold at 3s. per ton, and from that upwards in proportion to their quality; the ſmall Coal for working engines is ſold from 1s. to 1s. 6d. per ton; the ſupply produced for the manufactures of the country would always be ſufficient, without increaſing the preſent price, as there are many new Collieries now opening, which would be able to ſupply any given quantity required for the London Market, provided the coals were permitted to be brought by the inland navigations. I conſider the diſtance, upon the average, from the above Collieries to Brentford 148 miles; the value of the mere boatage, I think

three farthings per ton per mile would amply pay; namely 9s. 3d. to Brentford for the boatman, boy, and horſe, their riſk of back carriage included; the tonnage I think ſhould be one halfpenny per ton per mile, which would amount to 6s. 2d. more, in all 21s. 5d. per ton. A London chaldron of Newcaſtle Coals weighs on an average 28 cwt.; therefore add one-third of this weight, and one-third of the price on a London chaldron of Staffordſhire Coal at Brentford, and it would coſt 28s. 7d. and allowing 2s. 11d. profit upon the chaldron, and for lighterage to London 1s. 6d. more, it would amount to 33s. It is my opinion, that if the tonnage before referred to was reduced to one halfpenny per ton per mile, the Staffordſhire Coal might be delivered in London at that price per chaldron, ſuppoſing no duty to be paid.

Thoſe Coals upon the ſpot are applied to all the manufactories of thoſe parts. I do not conſider them of ſo ſtrong a quality as the Newcaſtle, but a very fierce burning Coal.

Will a chaldron of Staffordſhire Coal go as far as a chaldron of Newcaſtle Coal for general uſe? I do not think it would.

Inform the Committee of the ſtate of the Swanſea Collieries, and their trade in Coals?—Upon the Swanſea river there are many veins of Coals, which run in general from three to ſix feet thick, worked on each ſide of the river, and there is lately a canal opened into the hills, by which many more Coals are likely to be brought down. The Coal Trade of that town was laſt year upwards of 3000 ſail of veſſels, beſides which there is a conſumption in the copper

trade upon the ſpot, from 1500 to 2000 tons per week: there is likewiſe up that river a very great abundance of what is called Stone Coal, uſed principally by Maltſters, which, by means of the preſent canal, will be brought to market, and great abundance of culm, for the lime trade.

Can any additional ſupply from Swanſea be procured for the London Market, and in what manner? The length of the voyage to London, compared with that from Newcaſtle, is ſuch as to render it impracticable, both paying the ſame duty. I uſed to draw, in peace, a great part of my ſupply, which is very large, from Swanſea, and which was, by obtaining freight as ballaſt by ſhips from Briſtol wanting to come to London, by which means I only paid 10s. per chaldron freight, which, at the preſent rate of freight, would coſt me near 50s.

At what rate could Coals be ſhipped on board at Swanſea? Put free on board at 6s. 8d. per ton, or 10s. per London chaldron, each chaldron weighing 30 cwt. of 112lb. to the cwt. the Swanſea Coals weighing more than the Newcaſtle Coals.

By what reduction of duties do you think the Swanſea Coals could be brought in competition with the Newcaſtle? No reduction of duty in time of war would avail, owing to the high freight and great length of voyage; but, in time of peace, if half the duty was taken off, I conceive they would come in competition with the Newcaſtle.

What would be the expence of freight from Swanſea to London in time of peace? I cannot judge

what it would be; but the freight I did pay for a few veſſels laſt peace was 15s. per chaldron; and the price of inſurance was one guinea per cent.

Do you think any meaſure likely to be ſo effectual to keep down the price of Newcaſtle Coals, and to aſſure a regular ſupply of Coals at a reaſonable price, (eſpecially in time of war) in the London Market, as a competition with the Inland Collieries? I conſider it as the only poſſible means, as the great difference at preſent ariſes from the high price of freight and inſurance, and I conſider great good would ariſe from their being no immediate connection between the Newcaſtle and Staffordſhire Collieries; and likewiſe, that it is an abſolute certain mode of a regular ſupply at all times, except in times of froſt.

Suppoſing Newcaſtle and Swanſea Coals both in the Market together, would you make any difference in the price you would offer for them for the uſes of your manufactory? If I could have a regular ſupply of the Swanſea coal, I would as ſoon have the one as the other.

Partnerſhip not to conſiſt of more than five Perſons;

By the 28th Geo. III. *c.* 53. § 2.—"And whereas a certain number of Coal Buyers have formed themſelves into a ſociety, and held private meetings at the Coal Exchange, in the city of *London*, profeſſing to make regulations, for the purpoſe of carrying on the trade in Coals, which regulations may have a tendency to prevent the ſaid trade from being free and open: Be it further enacted, by the authority

aforeſaid, That from and after the 1ſt of *June*, 1788, any number of perſons united in covenants or partnerſhips, or in any way whatſoever, conſiſting of more than *five perſons*, for the purchaſing of Coals for ſale, or for making regulations with reſpect to the manner of carrying on the ſaid trade in Coals, ſhall be deemed and adjudged to be an unlawful combination to advance the price of Coals, and every perſon concerned therein, ſhall be liable to be puniſhed by indictment or information for the ſame, in His Majeſty's Court of King's Bench at *Weſtminſter*."

Mr. *Thomas Hawkes*, firſt Buyer, in his evidence before the Committee of the Houſe of Commons, gives the following opinion of this clauſe;—

You have ſaid, you conſidered the price paid at times by the public as a great abuſe; ſtate your idea of the means by which that price is produced, and if there are any, and what remedies to be applied to it?—There being no more than about twelve or fourteen Factors, who ſell all the Coals, they have it in their power to agree together to demand what they pleaſe. There is a clauſe in the Act of 28 George III. *c.* 53, prohibiting any number of perſons exceeding five, from uniting for the purchaſe of Coals, which I conceive to have had a very bad effect—for, ſince that time, the Coal Buyers have been afraid to come to any underſtanding among themſelves to reſiſt the exorbitant demands of the Coal Factors, for fear they ſhould incur the penalty prefcribed by that act.

Do you then conſider the facility of combination among the Factors, as the great cauſe of the late high price?—I do; becauſe, in the above act, it was the practice of the Coal Buyers to meet together, for the purpoſe of reſiſting their demands, which appeared to the buyers to be unreaſonable.

At what price do you think Coals could come from Newcaſtle, ſo as to leave a fair profit to all thoſe concerned at the preſent time?—About 2l. 2s. in the Pool, the beſt Newcaſtle Coals might be ſold for under the preſent circumſtances;—ſhould think, in times of peace, at 1l. 12s. during the ſummer months.

Depot for Coals.

From the ſame.

What has been the occaſion of the late very high price of Coals?—The weather, in a great meaſure; but I think, at times, the high price a great abuſe.

What, in your opinion, would be the effect of having a place ſet apart as *depot* for Coals, in which cargoes might be depoſited on wharfs, during the ſummer months, ſo as to be prepared for the demand in winter?—I think, that would be a great relief to the town, and muſt tend to prevent the exceſſive increaſe of price during the winter months.

Do Coals differ, either in quality or quantity, by expoſure to the weather?—In my opinion not; I have room at my wharf to lay up 2 or 3000 chaldrons, and my practice is to leave them expoſed to the weather.

FRAUDS IN MEASURE.

Inſtances of various Frauds detected in the MEASURE OF COALS, *within the Juriſdiction of the principal Land Coal-Meter's Office for the City of London.*

Note, The following caſes are taken from many others laid before the Committee of the Houſe of Commons, appointed to conſider of the Coal-trade of the Kingdom.

Mr. ——— kept back ſeven ſacks out of five chaldrons Pool meaſure, ſold to a retailer in Spital-fields; and on the ſame day kept back ſeven ſacks out of another five chaldrons, ſold to a retailer at Mile-End; detected by Smith and Lay; but the matter was diſmiſſed by the late Mr. Dixon, then principal Coal-Meter.

Mr. ——— took a chaldron from about twenty of Pool meaſure, belonging to a Sugar-baker in Whitechapel, which were detained upon a bench at the wharf, and ſent to a ſhoemaker in Oſborne-ſtreet; on being detected by Smith and Seaman, he gave a draft on his banker for 10l. to prevent expoſure.

Mr. ——— took ſeven ſacks out of five chaldron Pool meaſure, ſold to Mr. Wilkinſon of Snareſbrook, who ſent a ſervant to ſee that the room of the barge was emptied, but the ſeven ſacks were put into a room amongſt broken Coals, at an early hour before the perſon's arrival. This aggreſſion was diſmiſſed by the late Mr. Dixon, then principal Meter; but Smith and Lay being diſſatisfied, employed Mr.

Hay, an attorney, in Wellcloſe-ſquare, who recovered 20l.

Mr. ——— kept back about one and a half chaldrons out of twenty Pool meaſure, ſold to the Poor Houſe of St. Olave, Hart-ſtreet. They were left in different rooms of a four-room barge, to be ſent down for lading on again. The buſineſs was carefully examined by the Churchwardens of the Pariſh, and the ſeller would have been caſt in 100l. damages, but from the incaution of one of the parties ſaying he would have made it up if the ſeller had given him 20l. This was detected by Smith, Marriott, and Lay, the laſt of whom ſays he knows that one and a half chaldrons were afterwards ſent to the Poor Houſe to make up the deficiency.

Mr. ——— ſold five chaldrons of Pool meaſure to two different perſons, two and a half to a houſe in Holborn, and two and a half to the Globe Tavern in Hatton Garden; firſt taking twelve ſacks out of the whole. This was detected by Smith and Macculloch, and the ſeller was fined 10l. by the Lord Mayor.

Mr. ——— by not filling the ſacks properly, ſent to a Gentleman in Lincoln's-Inn-Fields what apparently was ſeven chaldrons, though in truth it was only five chaldrons Pool meaſure. This was detected by Smith and Terry, to whom he offered 10l. to make it up, which they refuſed; but previous to an examination before Sir William Plomer, he took care to ſend in to his cuſtomer a bill of parcel for *five chaldrons only*. This was produc-

ed, and ſaved him the fine, though he had actually paid his men for the filling and ſhooting of ſeven chaldrons.

Mr. ——— ſent one chaldron to Mr. Price, a retailer in Shoe-lane, as for Pool meaſure, which, on being re-meaſured by Mr. Price's men, were greatly ſhort, the ſacks containing only about two buſhels and a half, inſtead of three; upon this diſcovery, he ſent two additional ſacks to make up the quantity; this Mr. Price ſtated himſelf at the office.

Mr. ——— kept back near four chaldron out of twenty, ſold for Pool meaſure, for the uſe of the Bridge Houſe, for which he paid 100l. at the Surrey Aſſizes held at Croydon.

Mr. ——— ſold two and a half chaldrons, Pool meaſure, to Mr. Mead, tallow-chandler, Thomas-ſtreet, Spital-fields. An action was brought by Smith for ſhort meaſure, which coſt a large ſum; 10l. were recovered.

The pariſh of St. George, Hanover-ſquare, contracted with Mr. Wood for a large quantity of Coals for the work-houſe, which, upon a re-meaſurement, were found to be ſo *greatly deficient* in meaſure, that the Churchwardens and Overſeers inſtituted an action againſt the ſeller. The matter was ſo *dexterouſly* managed, that all the guilt of this tranſaction was found to lie with a Mr. Parry, a lighterman.

Additional Inſtances of Fraud in the delivery of Coals within the Diſtrict of the Land Coal-Meter's Office for Surrey.

On Monday, May 26th, 1800, F. Bigg, Inſpector of the Surrey Land Coal-Meter's Office, obſerved a cart lading with a chaldron of Coals without being meaſured; upon which F. B. remonſtrated with the Coal-porters on the impropriety of what they were doing, and deſired them to get the buſhel. Their reply was, d—n the buſhel, the Coals were going away as fillaways.* F. B. obſerved, they had filled away ſo long that they had brought a load on their ſhoulders they would not like; for that the City Meters and others had been that day examined before a Committee of the Houſe of Commons, on the neceſſity of all Coals being meaſured: their anſwer was, d—n the Meters altogether; they would not meaſure any Coals. F. B. on inquiry of the labouring Meter, found the Coals then lading were going as a chaldron of Coals to a perſon in St. Alban's-ſtreet, Pall-Mall, and that a ticket had been ordered for that purpoſe. F. B. returned home to inform Mr. Burnett, the principal Meter, what had happened, who ordered the cart ſhould be followed, which F. B. accordingly did; and on ſeeing the cart go over Blackfriar's-bridge, went to the carman, and requeſted him to ſhow him the Meter's ticket:

* A term made uſe of to deceive the Meter, and to ſignify Pool meaſure.

he ſaid he had not one, but he had a blank ticket ;* that the Coals were going to a retail ſhop near Cavendiſh-ſquare. F. B. ſtill followed the cart (which went to the ſame place it was firſt going), and ſaw the coals delivered. F. B. had an interview with the perſon, who informed him ſhe bought the Coals of a coal-merchant of Bankſide, Southwark ; that ſhe had aſked the carman for the Meter's ticket, who ſaid it was loſt.

May 8, 1800.—A gentleman who had purchaſed of an advertiſing houſe, 2½ chaldrons of coals, 14 ſacks to the chaldron, on finding them deficient in number, applied to the Surrey Land Coal-Meter's Office to have them re-meaſured ; but the ſeller, on having notice given him of the buyer's intent, ordered the carman to drive the Coals away, which he did in preſence of F. B.

J. Burnett, F. Bigg.

Manner in which the Coal Trade is conducted in the Port of London, *as delivered by* Mr. Thomas Hawkes, *a firſt Buyer on the Coal Exchange before the Committee of the Houſe of Commons on the Coal Trade.*

The Coals are conſigned to the Factors, to whom the ſhip's papers are ſent ; the practice now is to ſend up the papers frequently from Graveſend, and ſometimes, I believe, much lower down. When we come to the market, we inquire of the Factors what

* A Coal-Merchant's ticket, in imitation of a Meter's ticket, to deceive the public.

different kinds of Coals they have. The Factors will often ſay the ſhips are engaged, which I think a very improper practice, as tending to enhance their price; there are about ten or twelve Factors, from whom I have received the ſame anſwer. When we have agreed, we ſign a contract to deliver the ſhip in ſo many days, according to the bulk of the ſhip. The cuſtom is to work the ſhip at the rate of forty chaldron per day;—if not unladen, according to the contract, the buyer becomes liable to demurrage.

From the 1ſt of March to the 1ſt of April, 634 ſhips arrived, and ſold from the 1ſt of April to the 16th, about 200 cargoes; ſince I have been a Coal Buyer, I never knew ſo great a number in ſo ſhort a ſpace of time.—Theſe ſhips brought in the laſt month, and were entered 84,358¼ London Chaldron of Coals at the Cuſtom Houſe; and I find, by inquiry ſince, that the quantity imported in the months of January, February, and March, of the preſent year, exceeds the quantity imported in the ſame months of laſt year by 18,020 chaldrons.

The *Coal-Buyers* and *Factors* are frequently *owners* of ſhips, or *ſhares* of ſhips, engaged in the Coal Trade.—The *buyer* is naturally willing to join in the *purchaſe* of a cargo at a *high price* which he has a *ſhare* in, becauſe *he* himſelf *is a gainer* by that *high price* being given, being in fact *Seller* as well as *Buyer*.

This *practice* prevails to a *very* conſiderable *extent*, taking in both deſcriptions—*Factors* and *Buyers*.

Deception in the Measurement of Coals.

In addition to the opinions of the beſt informed on this ſubject, (which I have collected with great pains) I ſhall add the following articles, which appeared ſome time ſince in one of the public prints:

"*All the tricks or deceptions are in the meaſurement of the Coals; for as to the mixing inferior Coals with the beſt, it is a general practice*; but if every one *had their meaſure*, this trick might be borne with. To remedy this evil, or impoſition upon the public, I humbly propoſe the following plan:——

"Every chaldron of Coals ſhould contain ſixty-four feet three inches cubical meaſure. Government have only to alter the mode of delivery from the buſhel to cubical feet. At every wharf there ſhould be a meaſure, whoſe cubical contents ſhould be ſixty-four feet three inches; this might be fixed to a crane upon the wharf, with a trap-flap at the bottom, which, when craned over the cart, by pulling out a pin, would let down the Coals at once into the cart. —This method would not only be expeditious, but ſave a great expence in coal-porters and ſacks. Inſtead of the preſent method of open waggons and carts, let them be made cloſe, and the cubical contents be painted upon the front of them, next the name of the owner. Theſe carts ſhould alſo be made with upright ſides and ends, ſo that every purchaſer might meaſure them, and ſee that he had his quantity;—and if theſe carts were reſtricted to carry only

one chaldron, and with not leſs than ſix-inch wheels, nor more than two horſes, this would be a great ſaving to the pavements in the ſtreets; for it is well known, the coal carts, with their narrow wheels, are deſtructive, and wear the pavement more than any other carriages whatever.

"There is another regulation which I think would be of great advantage to all parties, ſeller and conſumer, and that is to be accompliſhed at the outport in the north, where the ſhips are laden:—let there be proper officers appointed at the ſeveral ports in the north, whoſe buſineſs ſhall be to meaſure every ſhip; and the contents, in cubical feet, ſhould be painted in large figures upon the front of the quarter-deck. This officer ſhould ſign a certificate, ſetting forth the quantity of Coals laden in the ſhip, and from what pit. When ſhe arrives in the river, or at whatever place ſhe is configned to, let this certificate be put up at the Cuſtom-Houſe, at the market-place, or at ſome public place, declaring the quantity of Coals ſhe has on board. There ſhould be no other perſon employed to ſell the Coals but the Captain; and no Captain ſhould have any part, either as ſhipper, or owner in the ſhip.—This would do away one of the greateſt evils; I mean, the *Factors*, or *Middle-men*."

CHAP. XVI.

On the Author's Exertions, in the Years 1795 *and* 1796. *Rewards offered by him to encourage Proſecutions againſt Foreſtallers, Regraters, and Ingroſſers;—with various* Convictions *which followed, and the* Wiſdom *of* well-timed Severity *contraſted with the* Laxitude *of* too much Lenity; *exemplified in the Caſes of* Battams, *at the Bucks Quarter Seſſions, on the one hand, and* Jemmett, *at the Quarter Seſſions of the Town of* Henley upon Thames, *on the other.*

IN July, 1795, the Author adverti ſed Rewards, payable by himſelf, on the Conviction of Foreſtallers, Regraters, and Ingroſſers, which Rewards, it is preſumed, were the cauſe of divers proſecutions and convictions. This ſtep, and his having alſo, in the beginning of the year 1796, by means of letters and hand-bills, circulated for that purpoſe, endeavoured to expoſe and check the nefarious practices of Farmers, Mealmen, and others concerned in enhancing the prices of Grain and Flour, irritated the perſons intereſted in the commiſſion of ſuch crimes to ſo great a degree, that he was at length ſeveral times groſsly inſulted, his life threatened, and even his perſon aſſaulted.

On the morning of the 5th of *May*, 1796, he received an anonymous threatening Letter, charging him with being an Enemy to Farmers, Millers, Mealmen, and Bakers, in putting out hand-bills, and offering rewards for convictions, writing letters in the Reading Mercury; and threatening that his houſe ſhould be burnt down, and himſelf murdered; and that he ſhould never live to ſee another harveſt.

On the very *ſame* day the Author, after having received the above-mentioned Letter in the morning, had occaſion to buy Oats at Henley Market, where he was accoſted in the moſt violent and groſs manner by a great number of Farmers, Mealmen, and others, who exclaimed, that he was not fit to live, and ought to be diſpatched; and who followed him from the Corn-market to the door of Mr. Cox, where he took refuge; and where, at length, they were diſperſed* by the *kind care* and *attention* of *Mr. Keene*, the Magiſtrate.

The author, or authors, of the anonymous threatening letter never was diſcovered, though a reward of one hundred pounds for that purpoſe was advertiſed by the Author of theſe ſheets in the London Gazette, Reading Mercury, and St. James's Chronicle of May, 1796. However, he was not diſcouraged or intimidated, but ſtill perſiſted in his endeavours, and ſeveral perſons were convicted of Foreſtalling, Regrating, and Ingroſſing.

* One of the perſons was a Mr. Bullock, a farmer, and lived at Twyford, near the Author's reſidence, (who died a ſhort time after), and *three* others were ſhortly afterwards in the Gazette.

By means of a ſeries of Letters, publiſhed by the Author in the year 1796, in the *Reading Mercury*, *Oxford Gazette*, and which found their way, in detached parts, into all or moſt of the Newſpapers in town and country, he had the ſatisfaction to find that his opinions of the effects of Foreſtalling, Regrating, and Ingroſſing, were generally coincided in, eſpecially by perſons of the beſt information and experience, from many of whom he had the honour to receive letters of thanks for his exertions.

The late worthy Member of the Houſe of Commons, Mr. Lechmere, having read the Author's Letters, and peruſed various other of his papers on the ſubject, was ſo ſtruck with the propriety, and even neceſſity, of ſomething being done to curb and check the enormities of Foreſtallers, Regraters, and Ingroſſers, and the miſchievous practices of Jobbing, Middle-dealing, and Forehand Bargains, that he requeſted the Author to ſupply him with certain papers* on that ſubject.

What uſe the Honourable Member made of thoſe papers and informations he received from other perſons, and how well he acquitted himſelf in the Houſe of Commons on the ſubject is in the recollection of every one, and the public have much to lament that the Parliament was ſo ſoon diſſolved, and that their patron had not the good fortune to be re-elected in the ſucceeding one.

* Amongſt which were affidavits of toll-collectors, and labourers of different deſcriptions, who proved that Grain and Flour were improperly carried away.

The Author, however, has had the ſatisfaction to reflect with pleaſure, that the eyes of the Nation in general were greatly enlightened, and that Foreſtalling, Regrating, Ingroſſing, Middle-dealing, and Forehand Bargains, which had been looked upon for ſome time before with a degree of apathy and indifference, began to be viewed in a truer light, and to excite ſenſations of deteſtation and horror.

Many proſecutions were inſtituted againſt offenders, and convictions took place, ſome of which are as follow :—

In May 1796, PETER WOOLDRIDGE, a Miller and Mealman, was fined in three different penalties by the Magiſtrates of the City of Wincheſter, which will be more fully explained in the following pages.

At Monmouth Eaſter Seſſion 1796, a Butcher of *Little Dean* was fined *twenty pounds* for regrating, in purchaſing Beef of a Country Butcher and ſelling the ſame again in the ſame market, and on the ſame day, at an advanced price.

At the Midſummer Quarter Seſſion 1796 for Dorcheſter, JAMES WOOTTEN was convicted of regrating Eggs, and ſentenced to one month's impriſonment and a fine of *ten pounds*.

IN THE COMMON-PLEAS.—Williams *v.* Hancock.

In June 1796, an action for regrating commenced, at the inſtigation of the City of London, againſt the Defendant, for having, in December then laſt, bought ſeveral live Beaſts for 80l. 10s. which, on the ſame day, the Defendant ſold for 87l. 10s. The evidence being ſatisfactory, the Jury, on the recommendation

of the Learned Judge, (Lord Chief Juſtice Eyre,) gave a verdict for the Plaintiff to the full amount of the penalties, viz. *one hundred and ſeventy-five pounds.*

Worceſter Aſſizes, July, 1796.

An action was tried by Lord Chief Baron Mac Donald, brought by a Baker of Worceſter againſt a Miller, reſident at Perſhore, for ſelling to the Plaintiff a quantity of Flour which was adulterated with a large portion of Barley-meal, for pure and unmixed Wheaten Flour. After a trial which laſted ſix hours, the Jury returned a verdict for the Plaintiff—Damages *fifty pounds.*

At the Quarter Seſſion, 1796, for Lincoln, two perſons were convicted of foreſtalling the Market in buying a quantity of Butter: each paid *five guineas.*

At the Quarter Seſſion for Ipſwich 1796, a Miller was fined *forty pounds* for fraudently mixing Barley with Wheat, belonging to a poor man who had employed him to grind the ſame.

At the Quarter Seſſion, 1796, for Durham, Joſeph Patterſon was convicted in *five guineas* and *three months' impriſonment,* for purchaſing Cattle previous to their entry to Durham Market.

A great number of other convictions before the Magiſtrates at their Quarter Seſſions in different parts of the kingdom might here be added, but it is thought unneceſſary. There is one, however, which, for the *very due* and *proper ſeverity* of the *ſentence,* deſerves to be recorded: well worthy to be acted upon by way of precedent; ſuch well timed ſeverity being certainly the moſt likely means of effectually

checking and putting an end to the baneful practices of Foreſtalling, Regrating, and Ingroſſing.

This was a conviction at the Spring Quarter Seſſion of the year 1796, held at Ayleſbury for the County of Bucks; the *Marquis* of *Buckingham* in the chair. The defendant, *Thomas Battams*, was indicted for *regrating*, by buying, in Olney Market, fourteen quarters and a half of Oats, and ſelling the ſame again at ſixpence per quarter profit (whereby he gained 17s. 3d.) in the ſame market. To which indictment he pleaded Guilty;—and the Noble Chairman pronounced the ſentence of the Court, which was, that he ſhould be confined in the common gaol *fourteen days*, pay a fine of *Two Hundred Pounds*, and remain a priſoner *till paid*.

How different from the wiſe and ſalutary example held forth by this conviction, was the following, for which the Author of this Treatiſe paid (agreeable to his Advertiſement) a reward of *twenty pounds*.

This was a conviction at the Spring Quarter Seſſion of the Peace of the ſame year (1796) for the Town of Henley-upon-Thames in Oxfordſhire, of one *Richard Jemmett*, for obtaining, buying, and getting into his hands and poſſeſſion, on the 8th day of October then laſt, ſeven quarters of Wheat for the ſum of 4l. 15s. for each quarter of the ſaid Wheat, (the ſaid Wheat being brought to Henley Market to be ſold,) and afterwards on the ſame day, in the ſaid Market, unlawfully regrating three quarters part and parcel of the ſaid Wheat ſo obtained or bought by him, and ſelling the ſame again for the ſum of 5l. for each quarter of the ſaid Wheat.

To this indictment the defendant plea'led *guilty* (as Battams did in the other) and the court, in direct oppoſition to the well-timed ſeverity of the ſentance againſt Battams, in the neighbouring county of Buckingham, thought proper to diſmiſs the defendant, on payment of a fine of *five ſhillings* only.

Such was the laudable conduct of the magiſtrates for the county of Buckingham, in a conviction before them, who, not ſoftened ſo as to ſwerve from the line of rectitude, by the defendant's pleadi ng guilty, took into conſideration the *enormity* of the *offence*, and puniſhed it by impriſonment and *heavy* fine;—and ſuch, on the other hand, the contraſted conduct of the *Magiſtrates* of the town of *Henley-upon-Thames*, who, for a *greater offence*, thought proper to diſmiſs the *culprit* in the manner already related.

Upon theſe two convictions, and the very different ſentences pronounced in them, one obſervation will naturally ſtrike the reader's mind.—It is this, that if Magiſtrates follow up as a precedent the wiſe and well-timed ſeverity of the Magiſtrates of the county of *Buckingham*, we may expect the beſt fruits therefrom, and a ſpeedy check and ſuppreſſion of the enormities of Foreſtalling, Regrating, and Ingroſſing:—but if, on the other hand, the conduct of the Magiſtrates of *Henley-upon-Thames*, was to be imitated by other Magiſtrates, we ſhould have good reaſon to expect a daily increaſe of the evils and pernicious effects attendant on the practice of thoſe deſolating and deſtructive crimes!

CHAP. XVII.

Containing the Statute, *and* Common Law, *againſt* FORESTALLING, REGRATING, *and* INGROSSING; *with occaſional Obſervations and Remarks. And the Abſtracts of the Trials of* Ruſby, Waddington, *and others.*

ACTS OF PARLIAMENT AGAINST FORESTALLING, REGRATING, AND INGROSSING.

BY Act Temp. Hen. III. Ed. I. and II. *c.* 10.* It is "Commanded on the behalf of our Lord the "King, that no Foreſtaller be ſuffered to dwell in "any town, which is an open oppreſſor of poor "people, and of all the commonalty, and an ene-"my of the whole ſhire and country, which, for "greedineſs of his private gain, doth prevent others "in buying grain, fiſh, herring, or any other thing "to be ſold, coming by land or water, oppreſſing "the poor, and deceiving the rich, which carrieth "away ſuch things, intending to ſell them more "dear; the which come to merchants, ſtrangers, "that bring merchandiſe, offering them to buy, and "informing them that their goods might be dearer "ſold than they intended to ſell, and a whole "town or a country is deceived by ſuch craft and "ſubtilty. He that is convict thereof, the firſt "time ſhall be amerced, and ſhall loſe the thing ſo

* Not repealed by 12th Geo. III. c. 71.

" bought, and that according to the cuſtom and " ordinance of the town; he that is convict the " ſecond time ſhall have judgment of the pillory; " at the third time he ſhall be impriſoned, and make " fine; the fourth time he ſhall abjure the town. " And this judgment ſhall be given upon all manner " of Foreſtallers, and likewiſe upon them that have " given them counſel, help, or favour."

Statute of the 3d and 4th Edward VI. *c.* 19.* § 1. Enacts, " That no perſon or perſons at any time, " ſhall buy or commune and conclude to buy any " manner of Oxen, Steers, Ronts, Kine, Heifers or " Calves, but only in the open fair or market, where the " ſame ſhall happen to be brought and put to ſale; " and ſhall not ſell the ſame again alive at and in the " market or fair where he bought the ſame, during " the time of the ſaid fair or market; upon pain of for- " feiture of the double value of ſuch Cattle bought " or ſold contrary to the tenor of this preſent act."

§ 2.—" That it ſhall be lawful for all and every " perſon and perſons to buy any Oxen, Steers, " Ronts, Kine, Heifers and Calves, or any of " them, out of any open Fair or Market, for his or " their proviſion, for their houſhold, teem, or dairy, " at his or their will or pleaſure, to be employed and " ſpent only in keeping and maintenance of his or " their houſe, or for their teem or dairy, and not " otherwiſe."

§ 3.—" That no perſon, being a butcher, and

* Not repealed by 12th George III.

"uſing the craft or myſtery of butchery, ſhall at "any time, buy any fat Oxen, Steers, Ronts, Kine, "Heifers, Calves or Sheep, and ſell, or cauſe to be "ſold, the ſame again alive, upon pain of forfeiture "of every ſuch Ox, Steer, Ront, Cow, Heifer, "Calfe, or Sheep, bargained or ſold contrary to the "form of this preſent act."

§ 4.—"That all and every perſon and perſons be-"ing a butcher, and uſing the art and myſtery of "butchery, ſhall and may, at his and their will and "pleaſure, buy any fat Oxen, Steers, Ronts, Kine, "Heifers, Calves, and Sheep, or any of them, out "of any open Fair or Market :—ſo that ſuch but-"cher ſell not, nor cauſe to be ſold, the ſame again "alive, as is aforeſaid."

"One moiety of all which forfeitures ſhall be to our "Sovereign Lord the King, his heirs and ſucceſſors, "and the other moiety to him or them that will ſue "for the ſame in any of the King's Courts of Record."

Statute of the 5th and 6th of Edward the VI. cap. 14.* Recites—That, "Albeit *divers* good "ſtatutes heretofore have been made againſt Fore-"ſtallers of merchandiſes and victuals, yet for that "good laws and ſtatutes againſt Regrators and In-"groſſers of the ſame things have not been hereto-"fore ſufficiently made and provided, and alſo for "that it hath not been perfectly known what per-"ſon ſhould be taken for a Foreſtaller, Regrator "or Ingroſſer, the ſaid ſtatutes have not taken good

* Repealed with divers ſubſequent Acts on the ſame ſubject, by 12th Geo. III.

" effect, according to the minds of the makers " thereof.'

And enacts " That whatſoever perſon or perſons, " that after the firſt day of *May* next coming, ſhall " buy or cauſe to be bought any merchandiſe, " victual, or any other thing whatſoever, coming " by land or by water, toward any market or fair, " to be ſold in the ſame, or coming toward any " city, port, haven, creek or road, of this realm " or *Wales*, from any parts beyond the ſea, to be " ſold, or make any bargain, contract or promiſe, " for the having or buying of the ſame, or any part " thereof, ſo coming, as is aforeſaid, before the ſaid " merchandiſe, victuals or other things, ſhall be in " the market, fair, city, port, haven, creek or " road, ready to be ſold; or ſhall make any motion " by word, letter, meſſage or otherwiſe, to any " perſon or perſons, for the inhancing of the price " or dearer ſelling of any thing or things above " mentioned, or elſe diſſwade, move or ſtir any per- " ſon or perſons coming to the market or the fair, " to abſtain or forbear to bring or convey any of the " things above rehearſed, to any market, fair, city, " port, haven, creek or road to be ſold, as is afore- " ſaid, ſhall be deemed, taken, and adjudged a " Foreſtaller."

2d.—" That whatſoever perſon or perſons, that af- " ter the ſaid firſt day of *May*, ſhall by any means re- " grate, obtain, or get into his or their hands or poſ- " ſeſſion, in any fair or market, any corn, wine, fiſh,

" butter, cheeſe, candles, tallow, ſheep, lambs,
" calves, ſwine, pigs, geeſe, capons, hens, chickens,
" pidgeons, conies, or other dead victual whatſo-
" ever, that ſhall be brought to any fair, or market
" within this realm or *Wales* to be ſold, and do ſell
" the ſame again in any fair or market holden or
" kept in the ſame place, or in any other fair
" or market within four miles thereof, ſhall be ac-
" cepted, reputed and taken for a Regrator or
" Regrators."

3d.—" That whatſoever perſon or perſons, that
" after the ſaid firſt day of *May*, ſhall ingroſs or get
" into his or their hands, by buying, contracting
" or promiſe taken, other than by demiſe, grant or
" leaſe of land or tithe, any corn growing in the
" fields, or any other corn or grain, butter, cheeſe,
" fiſh, or other dead victual whatſoever, within the
" realm of *England*, to the intent to ſell the ſame
" again, ſhall be accepted, reputed, and taken an
" unlawful Ingroſſer or Ingroſſers."

4th.—" And if any perſon or perſons ſhall, at any
" time after the ſaid firſt day of *May*, offend in any
" of the things before recited, and being thereof
" duly convicted and attainted by the laws of this
" Realm, or after the form hereaftermentioned, ſhall
" for his or their firſt offence have or ſuffer im-
" priſonment for the ſpace of two months without
" bail or mainprize, and ſhall alſo loſe and forfeit
" the value of the goods, cattle, and victual ſo by
" him or them bought or had."

5th.—" And if any perſon lawfully convicted or

" attainted of or for any the offences above ſaid,
" be thereof eftſoons lawfully convicted or attainted,
" that then every perſon or perſons ſo offending
" ſhall have and ſuffer for his or their ſaid ſecond
" offence, impriſonment by the ſpace of one half
" year, without bail or mainpriſe, and ſhall loſe
" double the value of all the goods, cattle and
" victual ſo by him bought or had, as is afore-
" ſaid."

6th.—" And if any perſon being lawfully twice
" convicted or attainted of or for any of the ſaid
" offences, ſhall eftſoons offend the third time,
" and be thereof lawfully convicted or attainted,
" that then every ſuch perſon for the ſaid third
" offence ſhall be ſet on the pillory in the city,
" town or place, where he ſhall then dwell and
" inhabit, and loſe and forfeit all the goods and
" cattle that he or they have to their own uſe,
" and alſo be committed to priſon, there to remain
" during the King's Majeſty's Pleaſure."

Act 31ſt George II. c. 40 §. 11.* Recites—That,
" whereas ſaleſmen, brokers or factors, employed
" by feeders of cattle or farmers, to ſell their live
" cattle within the city of *London*, or within the
" limits of the Weekly Bills of Mortality,
" may be guilty of many abuſes greatly to the
" prejudice of their employers, by indirectly ſelling
" ſuch cattle, and by that means, ſtocking lands,
" which they may hire for that purpoſe near the

* Not repealed by 12th George III.

" Markets within the ſaid city of *London* or " Weekly Bills of Mortality, where ſuch cattle " may be brought to be ſold again, whenever they " ſhall find a proper time or opportunity of ſelling " the ſame to advantage; And enacts, " That " from and after the 29th day of *September*, (1758,) " no ſaleſman, or other broker or factor, who ſhall " be employed to buy or ſell any ſort of cattle " for others, by commiſſion, or for reward to be " paid or taken, ſhall by himſelf, or any ſervant " or agent, directly or indirectly, on or for his own " account, buy any live ox, bull, cow, ſteer, bul- " lock, heifer, calf, ſheep, lamb, or ſwine, in *Lon-* " *don*, or within the ſaid limits of the ſaid Weekly " Bills of Mortality, or at any place whilſt any ſuch " cattle ſhall be on the road, or be driving, bring- " ing or coming up, to be ſold or offered to or for " ſale, in *London*, or at any other place within the " ſaid limits of the ſaid Weekly Bills of Mortality " (other than ſuch cattle which any ſuch ſaleſ- " man, broker, or factor, ſhall actually pur- " chaſe for the neceſſary uſe or proviſion of his " family, and ſhall actually uſe accordingly); and " that no ſuch ſaleſman, broker, or factor, after " the ſaid 29th day of *September*, ſhall ſell or ex- " poſe, or offer to or for ſale, on his own account, " in *London*, or at any place within the ſaid limits " of the ſaid Weekly Bills of Mortality, either by " himſelf, or his ſervant, or agent, any live ox, bull, " cow, ſteer, bullock, heifer, calf, ſheep, lamb,

" or ſwine; upon pain that every perſon who ſhall " ſo offend in the premiſſes ſhall—every time he " ſhall be convicted of any ſuch offence in manner " hereafter mentioned—forfeit and pay for every " ſuch offence double the value of any live cattle, " which he ſhall ſo buy or ſell, on his own ac- " count, contrary to the tenor of this act."

The excellent Acts of Parliament before ſtated having been neglected to be enforced, the prices of the neceſſaries of life were at the mercy of Foreſtallers, Regraters, and Ingroſſers; inſomuch, that, in the year 1766, (though bearing ſcarce any proportion to the exorbitantly high prices to which they have lately riſen,) were thought ſo intolerably dear, that commotions and riſings, of the poorer claſſes of the people, took place in various parts of the kingdom.—Flour mills were deſtroyed, and corn and other neceſſaries of life ſeized by the mob, and, in ſome places, ſold at moderate prices.—At others, the people were much more violent.—They ripped open ſacks and ſcattered the corn about the ſtreets, and plundered ſhops of butter, cheeſe, and bacon, and in their fury deſtroyed conſiderable quantities of it.—The adminiſtration at that period, though nothing could juſtify the conduct of the riotous people, had compaſſion on their ſufferings; and, as all were convinced that the high prices were occaſioned by Foreſtalling, Regrating, and Ingroſſing, a proclamation was iſſued, dated the 11th of September 1766, for putting the wiſe laws then ſubſiſting in force againſt thoſe crimes.—This pru-

dent meaſure, together with two other proclamations of the 23d of the ſame month, laying an embargo on all veſſels laden or to be laden with wheat or flour for exportation till the 14th of November then next, and prohibiting the diſtillation of ſpirits from wheat, had the deſired effect.

In the ſame year a butcher in St. James's Market was found guilty of Foreſtalling, and fined in the penalty of *fifteen pounds*.

And another butcher was tried before Lord Camden, for having bought 221 ſheep in Smithfield-Market, and ſold them the ſame day, contrary to the before-mentioned Act of 31ſt Geo. II. and the Jury, on the recommendation of the learned Judge, gave a verdict to the full amount of the penalties. And ſeveral other verdicts were obtained againſt offenders in different parts of the kingdom.

But, it is ſomewhat ſingular, and much to be lamented, that, though the excellent laws againſt Foreſtallers, Regraters, and Ingroſſers, had been ſo recently approved of and enforced by Proclamation, in 1766, the public ſhould, very ſoon afterwards, have been deprived of the beneficial effects of moſt of them. But ſo it happened: for, by the 12th Geo. III. all the wiſe Acts of Parliament againſt theſe offences (except Temp. Hen. III. Ed. I. and II. 3d and 4th Ed. VI. and 31ſt Geo. II. c. 40. § 11.) were repealed; "In an evil hour repealed," as Lord Kenyon moſt elegantly and pathetically expreſſes it.

The repealing Act, 12th Geo. III. c. 71, recites, that, "Whereas, it hath been found, by experience,

" that the reſtraints laid by ſeveral ſtatutes upon " the dealing in Corn, Meal, Flour, Cattle, and ſun- " dry other ſorts of victuals, by preventing a free " trade in the ſaid commodities, have a tendency to " diſcourage the growth, and to enhance the price " of the ſame; which ſtatutes, if put in execution, " would bring a great diſtreſs upon the inhabitants " of many parts of this kingdom, and in particular " upon thoſe of the cities of *London* and *Weſt-* " *minſter* :"—

And enacts, " That an *Act*, made in the 3d " and 4th year of King *Edward* the VIth, intituled, " *An Act for buying and ſelling of Butter and Cheeſe;* " and alſo an Act, made in the 5th and 6th year of " King *Edward* the VIth, intituled, *An Act againſt* " *Regrators, Foreſtallers, and Engroſſers;* and alſo " an Act, made in the 3d year of *Philip* and *Mary*, in- " tituled, *An Act for the keeping of Milch Kine, and* " *for breeding and rearing of Calves;* and alſo, an Act, " made in the 5th year of Queen *Elizabeth*, intitu- " led, *an Act touching Badgers of Corn, and Drovers of* " *Cattle, to be licenſed;* and alſo an Act, made in the " 15th year of King *Charles* the II. intituled, *An* " *Act to prevent the ſelling of live fat Cattle by But-* " *chers;* and ſo much of an Act, made in the 5th " year of Queen *Anne*, intituled, *An Act for conti-* " *nuing the Laws therein mentioned relating to the* " *Poor, and to the buying and ſelling of Cattle, in* " Smithfield, *and for ſuppreſſing of Piracy*, as relates " to butchers, ſelling cattle alive or dead, within

" the cities of *London* and *Weſtminſter*, or within " ten miles thereof; and all Acts made for the bet- " ter enforcement of the ſame, being detrimental to " the ſupply of the labouring and manufacturing " poor of this kingdom, ſhall be, and the ſame are " hereby declared to be repealed."

And it further enacts, " That all informations, in- " dictments, ſuits, or proſecutions, already com- " menced, for the inflicting any puniſhment, or for " the recovery of any fine, penalty, or forfeiture, un- " der the ſaid former Acts, or any of them, ſhall " ceaſe and determine; and no further proceedings " ſhall be had thereupon: and that no information, " indictment, ſuit, or proſecution, ſhall be com- " menced or proſecuted againſt any perſon or per- " ſons whatſoever, under or by virtue of the ſaid " Acts, or any of them; but that all ſuch proceed- " ings ſhall be void and of no effect; any law, ſtatute " or uſage, to the contrary notwithſtanding."

It is fortunate for the public, that the above-mentioned Act, Temp. Hen. III. Ed. I. and II. and the 3d and 4th of Edw. VI. are older than any of the Acts enumerated in the Repealing Act above ſtated, and not noticed therein, *ſtill remain unrepealed.*

The Act of 12th Geo. III. only repeals the 3d and 4th of Edward the VIth, the 5th and 6th of the ſame king, the 3d of Philip and Mary, the 5th of Queen Elizabeth, and the 15th of Charles the IId, and ſo much of an Act made in the 5th year of Queen Anne, as related to butchers ſelling cattle alive or

dead, within the cities of *London* and *Weſtminſter*, or within ten miles thereof; and all Acts made for the better enforcement of the ſame.

Conſequently, the Acts Temp. Hen. III. Ed. I. and II. and 3d and 4th of Ed. VI. are older than any of thoſe mentioned in the Repealing Act, and not in the leaſt noticed therein, could not be repealed by any words contained in it, ſince it only repeals the acts therein particularized, and all acts made *for the better enforcement of the ſame.* Nor is the before-mentioned Act, 31 Geo. II. repealed thereby, as not being made *for the better enforcement* of any of the acts thereby ſpecified to be repealed.

Hence it follows, that the Act Temp. Hen. III. Ed. I. and II. 3d and 4th of Ed. VI. and alſo the Act 31 Geo. II. may be put in force to puniſh offences againſt theſe acts reſpectively; or ſuch offenders may be indicted at common law, at the election of the Proſecutor.

How puniſhable by the Common Law.

At the common law, all endeavours whatſoever to enhance the common price of any merchandiſe, and all kinds of practices which have an apparent tendency thereto, whether by ſpreading falſe rumours, or by buying things in a market before the accuſtomed hour, or by buying and ſelling again the ſame thing in the ſame market, or by any other ſuch like devices, are highly criminal, and puniſhable by fine and impriſonment. 1 *Haw.* 234 and 235.

By the common law, a merchant, bringing victuals

into the realm, may ſell the ſame in groſs: but no perſon can lawfully buy within the realm any merchandiſe in groſs, and ſell the ſame in groſs again, without beng liable to be indicted for the ſame. 3 *Inſt.* 196.

The bare ingroſſing of a whole commodity, with an intent to ſell it at an unreaſonable price, is an offence indictable at common law, and puniſhable by fine and impriſonment, whether any part thereof be ſold by the Ingroſſer or not. 1 *Haw.* 235.

And ſo jealous is the common law of all practices of this kind, that it will not ſuffer corn to be ſold in the ſheaf; perhaps for this reaſon, becauſe by ſuch means the market is in effect foreſtalled. 1 *Haw.* 235.

The Author cannot paſs over the Repealing Act, as it is called, without ſaying a word or two on the reaſons, which, in his opinion, operated with the Legiſlature to repeal theſe laws which our anceſtors had raiſed as ſo many barriers betwixt the unbounded avarice of the Regrator, and the daily wants of the people, who, much to their credit, have at all times been ready to pay a reaſonable demand for their ſuſtenance.

The improvements in the various inſtruments employed in manufactures, which, at the ſame time that they abridge labour, multiply its effects; the mercantile ſpirit which explored new markets and enlarged old ones, totally changed the ſyſtem even of thinking, which had been obtained under former reigns; in conſequence of which many great and good men began to think that theſe *old-faſhioned*

Laws ought to be new modelled, and ſome conceived that they ſhould be entirely repealed; they thought all reſtrictive Laws trenched on private property; that a trading competition would never fail to procure an ample and cheap ſupply of proviſions, ſo that the price of every article would be ſure to find its own level, which it could not be expected to do while the trader was terrified with pains and penalties which the ſeverity of the Law hung over him. The ingenious Author of "The Wealth of Nations" ſeemed to make ſo light of this matter, that he confidently aſſerts, "That Foreſtalling and Regrating are no more to be dreaded than witchcraft." It is devoutly to be wiſhed that this was the caſe. The Hon. and Learned Daines Barrington, in his Obſervations on the ancient Statutes in 1766, (2d edit. p. 172,) alſo ſays, "I have already had occaſion to expreſs my ſentiments with regard to the laws againſt Foreſtallers and Regrators, and could *almoſt* wiſh that they were expunged from the Statute Book, as the conſequence of putting them in force muſt for ever be to raiſe the price of proviſions." Theſe are the ſentiments too of that luminous political œconomiſt, Dr. Adam Smith:—authorities undoubtedly great, and probably, as ſuch, had their due weight with the members of both houſes, on the propoſition for repealing thoſe Laws.

This ought to ſhew us at the ſame time, that great names and ingenious theories, ought not to be haſtily adopted at the expence of the experience of ages; and that avarice, which is always ſure to find ſome

heart inſenſible to the feelings of humanity, in which it uniformly takes up its abode, ought not to be permitted under any name to range at large, like a beaſt of prey, to "ſeek whom it may devour."

As the following article (taken from a morning paper) coincides with the Author's opinion, he only wiſhes that the ſpirit of it may be univerſally adopted:

"The town of Kidderminſter ſeems determined to ſtrike at the root of Monopoly: at a meeting of the principal inhabitants lately held there, it was reſolved, "That the bailiff and juſtice be requeſted to write to his Grace the Duke of Portland, ſtating the hardſhips under which the induſtrious poor of that town laboured, on account of the high price of grain; and requeſting his Majeſty's Miniſters would recommend to the Legiſlature, the re-enacting of the ſeveral Statutes againſt Foreſtalling, Regrating, Ingroſſing, &c. which have been within a few years repealed; and alſo to deviſe ſome means to prevent the Corn imported into this country from being bought up by monied men, who, inſtead of ſelling it to the immediate conſumer, diſpoſe of it to Corn-factors, whereby the price is advanced before it is brought into the market: and to requeſt his Majeſty's Miniſters to take ſuch other ſteps as may appear to them likely to reduce the price of proviſions, and (if poſſible) to prevent their riſing again to the ſame exorbitant height." We underſtand the Magiſtrates willingly agreed to comply with the above, and to ſend a letter to the Duke of Portland, conveying the ſentiments of the meeting.

ABSTRACT *of the* TRIAL *of* JOHN RUSBY, *which came on the 4th of July*, 1800, *in the* Court of King's Bench, Guildhall, London, *before* LORD KENYON *and a* SPECIAL JURY, *for* Regrating Corn *in the Corn Exchange, Mark-Lane, on the 8th of November*, 1799.

THE KING AGAINST JOHN RUSBY.

Council for the Profecution.	*Council for the Defendant.*
Mr. Erſkine,	Mr. Law,
Mr. Garrow,	Mr. Serjeant Beſt,
Mr. Knapp,	Mr. Maryat,
Solicitors.	*Solicitors.*
Meſſrs. W. L. & James Newman.	Meſſrs. Wright & Bovill.

Jury.

John Nixon,	Cornelius Donovan,
Chriſtopher Taddy,	Samuel Yates,
Henry Ward,	William Tate,
Alexander Champion,	William Fenning,
John Grant,	John Welsford,
Robert Barnewall,	James Cooper.

THE Indictment ſtated, That John Ruſby, late of London, Yeoman, on the 8th of November, in the fortieth year of George the Third, in a certain market there, called the Corn Exchange, unlawfully did buy, and get into his poſſeſſion, from Joſeph Shrimpton, John Greenſide, and John Sharwood, of this kingdom, ninety quarters of Oats, for the price of 41s. for each of the ſaid ninety quarters, (part of the ſaid Oats, by way of ſample of the ſaid

ninety quarters, then being brought to the ſaid market, by the ſaid Joſeph Shrimpton, John Greenſide, and John Sharwood, for the ſale of the ſaid ninety quarters, in the ſame market) and afterwards on the ſame 8th day of November, in the year aforeſaid, he, the ſaid John Ruſby, in the Corn Exchange, unlawfully did regrate thirty quarters of the ſaid Oats, and ſell the ſame again, to one William Hardy, for the price of 43s. for each of the ſaid thirty quarters, in contempt of our ſaid Lord the King, and his Laws, to the evil example of all other perſons in the like caſe offending, and againſt the peace of our ſaid Lord the King, his crown, and dignity.

There were eight counts in the indictment.

Mr. Erſkine, having ſtated ſome preliminary obſervations on the crime of Foreſtalling in general, addreſſed the Jury in theſe words:—

" Now, Gentlemen, I underſtand, that a ſet of perſons, which it is the object of this proſecution, (if you ſhall be of opinion it is well founded,) effectually to put an end to, have obtruded themſelves into the Corn Market of this great city, and they have obtruded themſelves between the Corn-factor, who repreſents the buyer, and the conſumer, that thoſe perſons are numerous, and poſſeſs themſelves of ſtands in the market, and the mode and practice of doing buſineſs is this:—The Corn remains in bulk, either in the veſſels in which it is brought into the different ports of the kingdom, or in lighters, and it is not unloaded from the ſhips or lighters, but ſamples are taken, and they are delivered to the dif-

ſerent Corn-factors, and great care is taken by the ſtatutes, that thoſe Factors ſhall not be ſellers of Corn; there are particular certificates neceſſary, and there are oaths they are obliged to take;—they have nothing to do but to expoſe to ſale fairly and juſtly the commodity they have received; the ſeller fixes the price at which he is to part with it, and the quantity is generally marked upon the bag, and it muſt depend at that time upon the particular ſtate of the commodity,—for where the commodity is a little heated, it may ſell for leſs, and if that was the caſe, the market would be even. The Factor has the price delivered to him, or elſe the ſeller leaves it to the Factor to deal for him as he thinks beſt:—if this was to be the caſe, without the intervention of the Jobbers we complain of, the market would find its own level, and ſettle at a fair price. This is the practice:—the Jobber comes, and he goes round to the ſtand, and ſays to the Factor, What do you ſell this ſample at? The Factor tells him the price. He ſays to the Factor, I will give you that price if you cannot get a better;—at all events this is mine at that price: ſo he gets into his hands what quantity he pleaſes.—After this is done comes the conſumer, and he goes to the Factor and aſks the price; and if the Factor can get a price that is higher, then no harm is done, becauſe it does not ſtop the price of the market in its natural courſe; but if the Factor is about to receive no more for the ſample than the Jobber has offered, what would be the conſequence if the conſumer could get it at the ſame price that

the Factor would have it; the market would not riſe: but at that moment comes in the Jobbers full gallop, like a charge of cavalry, having got this by virtue of their pre-emption, intending to raiſe the market; the conſumer does not get it from the Corn Factor, becauſe it is whipped away by the Jobber, who expoſes to ſale the ſame Corn upon the ſtand of ſome other Factor, and he will not let it go until he, with others, have brought it up to the price they pleaſe to ſet. Now, Gentlemen, can any one contemplate this practice, without ſaying it is an offence againſt the public trade? With regard to Ingroſſing any quantity that ſhall be conſidered Ingroſſing, that muſt be matter of fact to be left to a Jury;—I don't mean to contend, the times we live in can be brought to the ſimplicity of ancient times, but muſt be meaſured by circumſtances. I do ſay this, the principle that makes this a miſdemeanour in one age muſt make it ſo in all ages—that which makes it a miſdemeanour in this country, muſt make it ſo in all countries;—it has the very conſequence which is ſtated by the eminent Lord Coke, and that is, by making the commodity paſs through a number of hands, it increaſes the price; but you muſt have a time for this. According to that, you would ſay, Can a man ſay this is an offence againſt trade? for a man to buy a commodity, and ſell it again at a profit, that is trade, and every thing has its limitation. All the ſtatutes are built upon the common law, and are declaratory of the common law, making proviſions for carrying it into execution; every one did declare what Regrat-

ing was, as they termed it, in the ancient law, and they made proviſions which are repealed unfortunately.

" Gentlemen, there is an obſervation ariſing out of the 15th Charles II. *c.* 7. § 4. by that, it was enacted, that when Corn did not exceed certain prices, perſons not Foreſtalling or ſelling again in the ſame market, within three months, might buy and lay it up in granaries;—it is repealed in the 31ſt of his preſent Majeſty, which repeals it in part, that of laying it up in granaries; but that part in the parentheſis, in the ſtatute, remains untouched, that which is illegally buying it in the market, and ſelling it again,—for that was conſidered to be an offence againſt the public trade."

Having made ſome additional obſervations, he concluded with the following outline of the caſe:

" Gentlemen, Mr. Snell, who is a Corn-chandler, will tell you, that, on the 8th of November, he came to the market, and there ſaw a ſample of Oats marked with the figures 90, ſignifying 90 quarters of Oats, ready to be delivered, of which that was the ſample; it was at the ſtand of Meſſrs. Shrimpton. Mr. Snell appeared to be diſpoſed to purchaſe, and aſked, what they would let him have them at per quarter;—they aſked him 44s. per quarter; he thought it too high, and did not purchaſe them, but went away; he came back again, and then ſaw Mr. Ruſby, who is a Jobber, and the defendant, in partnerſhip with Meſſrs. Smith, bargain for them, and carry them away at 41s. a quarter, in conſequence

of the pre-emption I ſtated. He had no ſooner done this, when the very ſame ſample was found upon the ſtand of Meſſrs. Preſt and Nattraſs, who acted as the agents of this Ruſby, and ſold them at 43s. per quarter, to a Mr. Hardy, which makes a difference of 2s. per quarter, in the purchaſe of the ſame article in the market, and they ſold the other ſixty quarters as the agents of the defendant. Gentlemen, this is the nature of the caſe. We ſhall bring the witneſſes before you, and, after you have heard their evidence, you will ſay whether this be or not an offence againſt the public."

Lord Kenyon.—" Are they ſeparate offences, or laid differently? I was not aware of the cauſe coming on, or I would have looked a little at it."

Mr. Garrow.—" My Lord, ſome of the counts are introduced more for form than any thing elſe."

Mr. RICHARD SNELL *ſworn.*

I am a Corn-chandler, reſiding in town, and a buyer in the Corn Market.—I attend the Corn Exchange early in the morning, where there are certain Factors who ſell for the proprietors of Corn, and have what are called ſtands in the market, upon which ſamples in bags are expoſed to view, generally marked with the Factor's name, and the number of quarters in the bulk that is to be diſpoſed of. The perſon who wiſhes to buy applies to the Factor, and inquires the price of that ſample;—the price is given at ſo many ſhillings a quarter—of courſe we make the bargain as well as we can.—I have, of

late, experienced ſome interruption to making purchaſes to the beſt advantage.

Sometimes I go to a Factor, and aſk the price of a ſample; they aſk me a certain price; I offer them a certain price, ſomething lower; the Factor ſays, I cannot take that price, I am offered ſo much by the trade, the Jobbers. I was at the Corn-Exchange on the 8th of November laſt, for the purpoſe of purchaſing Oats; I applied at the ſtand of Meſſrs. Shrimpton and Co. Corn-Factors; I ſaw a ſample of Oats marked 90: I made an offer to the Factor for it; I examined the ſample; he aſked 44s. I ſaid it was warm.

Lord Kenyon. Heated, I ſuppoſe?

Heated on board the veſſel. Mr. Sharwood informed me the Oats were on board Hollingſworth's craft. Mr. Sharwood is one of the partners of Shrimpton and Company; he told me they were taken out of the ſhip and on board Hollingſworth's craft. I offered 40s. he ſaid he would not take it. He made no obſervation. I quitted the ſtand; in a few minutes after I ſaw Mr. Ruſby at Mr. Shrimpton's ſtand with the ſame ſample in his hand bargaining for them. He took them from Shrimpton's ſtand and carried them to his own ſtand; he is a Jobber, and has a ſtand; a Jobber is one of thoſe people that buy to ſell again; he carried it to his own ſtand, and immediately opened the bag and expoſed it to ſale there. I am poſitively certain that the bag I ſaw him carry to his own ſtand was the ſame I had been dealing for before; the mark is upon

the bag itſelf. I miſſed this ſample from Mr. Ruſby's ſtand, and ſaw it upon the ſtand of Meſſrs. Preſt and Nattraſs, Factors on the Exchange; I went to the ſtand of Preſt and Nattraſs to deal upon the ſubject of this ſample; I was aſked 45s. I am certain that this was the ſame ſample which I ſaw at the ſtand of Shrimpton, and afterwards ſaw the ſame on the ſtand of Ruſby; I examined it, and am ſure it was the ſame bag; I had no difficulty in knowing it. They told me they were on board Hollingſworth's craft, and the quantity was about ninety quarters; the ſame quantity that had been repreſented to be the quantity in Hollingſworth's craft at the ſtand of Shrimpton and Co. Mr. Nattraſs offered me them a ſhilling leſs, in conſequence of their being warm, as it makes the Corn of leſs value. I had no communication with Mr. Ruſby reſpecting the ſale by Preſt and Nattraſs. I had no intimation reſpecting a diſturbance between Ruſby and any body elſe reſpecting the ſale.

Mr. JOHN SHARWOOD *ſworn.*

I am a Corn-Factor, in partnerſhip with Meſſrs. Shrimpton and Greenſide; I know Mr. Richard Snell, the laſt witneſs; I believe Mr. Snell made an application to me at the Corn-Exchange on the 8th of November laſt. He aſked me the price of a parcel of Oats that was there on our ſtand in a ſmall bag; it was marked ninety quarters; he applied to purchaſe that ſample of Oats. I don't immediately recollect the price I told him he might have it at; it

might be 44s. or 43s. I have got my book; *(produces his book.)* On the 8th of November I ſold that parcel of Oats to Smith, Ruſby, and Co. at 41s. It was the ſame parcel of Oats I had ſhown to Mr. Snell.

Lord Kenyon. I dare ſay you will recollect it, becauſe it ſeems to me your character is pretty much embarked in it.—I would not knowingly be wrong in the anſwer.

Mr. Knapp. Can you wander ſo far as not to be ſure whether you aſked 46s. or not? try and recollect yourſelf what price you aſked Mr. Snell.—It might be 43s.

Upon your oath what was the ſum?—I cannot ſay.

Have you any doubt?—I have a doubt whether it was 43s. or 44s. Afterwards I ſold the ſample to Smith, Ruſby, and Co. Mr. Ruſby was the man perſonally to whom I ſold it. About an hour, on the ſame day, after I had this converſation with Mr. Snell, I was informed it had been expoſed to ſale upon another ſtand; on the market-day afterwards I told Mr. Ruſby of it, that they had been expoſed to ſale, and ſold upon another Corn-Factor's ſtand. I did not ſee it.

Lord Kenyon. I think that is an inference very obvious.

I ſold them to Smith and Ruſby afterwards; not in conſequence of any previous contract.

When you told Mr. Ruſby the ſame ſample had been expoſed to ſale at another ſtand, what anſwer

did Mr. Ruſby make to you?—I believe his anſwer was, that he found them not applicable to the purpoſe he intended them.

Lord Kenyon. I don't know how his account of it is evidence.

Mr. NATTRASS *ſworn.*

I am a Corn-factor, have been in partnerſhip with Mr. Preſt about five years; I know Mr. Ruſby.

Do you remember upon the 8th November Mr. Ruſby bringing you a ſample bag?—I do not remember particularly Mr. Ruſby bringing a ſample bag on the 8th of November; I cannot ſwear he did, but I believe he might.

Are you conſcious of what a figure you make? You ſaid a little while ago we ſold thirty quarters of Oats for the houſe of Smith, Ruſby, and Co. I aſk you upon your ſolemn oath, whether you do not remember and believe that the thirty quarters of Oats was brought to you by Mr. Ruſby?—We have ſo many ſamples come to our ſtand, it is impoſſible to recollect it exactly.

Do you mean to ſay the bulk was in Hollingſworth's barge?—I do not remember Mr. Hollingſworth's barge.

Lord Kenyon. Why did not you produce your book?—I have a copy of it.

Mr. Erſkine. Upon your oath why did not you bring your book?—Becauſe I have brought a copy I can ſwear to.

Have you ſeen Mr. Ruſby the defendant, ſince

you received the ſummons to attend ?—I have ſeen Mr. Ruſby ſeveral times.

Had you any converſation upon the ſubject of this cauſe ?—There have been various converſations.

Have you not converſed wirh Mr. Ruſby upon your oath, as to the evidence you ſhould give ?—I have, as matter of converſation.

Have you not had converſations upon the evidence you ſhould give in this cauſe, and mind your evidence is taking down ? Upon your oath have you not had moſt particular converſations with the defendant upon the evidence ?—I have particularly mentioned the circumſtances to Mr. Ruſby.

When laſt ?—Several times.

When did you ſee him, yeſterday ?—No, I did not.

Did you ſee him to-day ?—No, Sir.

Did you ſee him the day before yeſterday ?—I believe I did.

Have you not met him privately upon the ſubject of the evidence you are to give ?—Not particularly.

Have you not had private communication with any body elſe upon the particular evidence you was to give to-day ?—I have not.

Upon your oath did he not adviſe you not to bring your book ?—No.

Did you not tell him you would not ?—No, Sir.

Mr. Wright. I gave him notice to produce it.

Mr. Erſkine. Did you not receive notice from this Gentleman to bring your book, and was you not

told to do it, becauſe you had not brought your book on a former occaſion?—He did mention it becauſe it might be neceſſary; I thought bringing a copy of the book was ſufficient.

I will have an anſwer; did he not reprimand you, or find fault with you, and conſider your conduct to have been incorrect, and order you not to repeat it, but to bring it?—He did not mention a word about incorrect; he did not particularly blame me: he ſaid it was neceſſary to bring the book.

Why did not you? Becauſe I have brought a copy.

Then go and fetch it.

(*Here Mr. Nattraſs went for his book.*)

Mr. WILLIAM HARDY *ſworn.*

Upon the 8th of November laſt I bought thirty quarters of Oats of Preſt and Co. at 43s. per quarter; I have been informed ſince they were in Hollingſworth's craft, but I don't recollect aſking where they were; I don't know it myſelf; they were delivered into my granary. They appeared to me to be cool and in good condition, and I bought them on that condition. I don't recollect what was the mark on the bag; it might be marked 90, it was more than I bought, I only bought a part of it. I bought a part of a larger quantity.

Mr. SAMUEL HOLLINGSWORTH *ſworn.*

I am a lighterman employed by Meſſrs. Shrimpton's houſe. I am not employed by Mr. Ruſby's houſe. I had, on the 8th of November, 88 quarters 2 buſhels of Oats in my barge, belonging to

Meſſrs. Shrimpton. The order was given for 90 quarters ;* and we cannot always aſcertain the quantity. They made out upon meaſuring, 88 quarters 2 buſhels, which often happens. It is impoſſible always to come to that nicety, if they happen to be ſold from hand to hand. The deficiency is more likely to occur the oftener they are meaſured. There were 30 quarters of Oats worked out from the lighter to Mr. Hardy. My original order from Mr. Shrimpton was, to deliver the whole to Mr. Ruſby. The original order was from Mr. Shrimpton ; it was in writing. Fifty-eight quarters one buſhel were worked out to Meſſrs. Ruſby and Smith ; and 30 quarters to Mr. Hardy : that made 88 quarters 1 buſhel ; and there was a buſhel loſt in the meaſuring.

Mr. JOHN SWEETMAN, *ſworn.*

I am a Corn-meter. I attended the delivery of theſe oats from Hollingſworth's barge. They were delivered upon the 9th of November—58 quarters 1 buſhel to the order of Meſſrs. Smith and Ruſby, and 30 quarters to the order of Meſſrs. Preſt and Nattraſs.

WILLIAM SWEETMAN, *ſworn.*

I am an apprentice to George Keane. I remember receiving orders for the delivery of ſome Oats. I cannot rightly ſay on the 8th of November ; it was in November. There were more than one order.

Have you got them with you ?—No, Sir.

* *Eighth of November*, 1799, *Mr. Samuel Hollingsworth*, Old Roſe—deliver Meſſrs. Ruſby and Smith the 90 quarters, &c.

Lord Kenyon. Is this to the ſame delivery?—*Mr. Knapp.* Yes, my Lord.

Lord Kenyon. There is abundance of proof.

I did not afterwards ſee any ſample of Oats in the Corn-market, at Meſſrs. Nattraſs and Preſt's Stand.

Mr. NATTRASS *again examined.*

Mr. Erſkine. Have you brought your book?—Yes, Sir.

I'll thank you to turn to that part of it, and hand it over to me. I ſhall not look at any other part. Have you made any return of this to the Inſpector of the Corn-market?—I cannot ſay exactly whether it is or not.

Lord Kenyon. Have you or not made any return to the Inſpectors of the Corn-market of this tranſaction?—I cannot ſay.

What do you believe?—I believe not. It was Corn that did not arrive in the veſſel; in conſequence of which it had been entered before.

Where did it come from?—I don't know. The original factor gives the return.

Mr. Law. Then it is not your buſineſs to give the return?

Mr. Garrow. Yes, it is by his oath.

Mr. Erſkine. I don't know you, as I never ſaw you before, to my knowledge: you may be a man of the beſt character, for ought I know, and it is your buſineſs to take care of it: I now aſk you, Sir, upon your ſolemn oath, whether it was not Mr. Ruſby, perſonally, that delivered you the ſample at your ſtand?—I really cannot ſwear who perſonally delivered it.

Upon your oath, do you believe it was him?—I cannot ſwear.

Do you believe it was him!—Very likely it was him. We have ſo many ſamples: it is impoſſible to recollect.

After the converſations you have had with Mr. Ruſby, which were very unfit; after all, do you mean to ſay, upon your ſolemn oath, that you have no reaſon to believe it was him?—All I can ſay, is, I cannot ſwear it was him.

I aſk you again, Sir, do you believe it was Mr. Ruſby?—We have ſold ſeveral parcels of Corn for Meſſrs. Ruſby and Smith, and it is not unlikely that they bring them.

I am ſpeaking of this parcel of Oats marked with the figures 90, that has been proved, in your abſence, to have been ſold to Mr. Hardy?—We only ſold 30 quarters on the 8th of November.

Mr. Hollingſworth has been here, and proved it; and having brought that back to your recollection, I aſk you again, and take care, whether you believe it was Mr. Ruſby; or, if it was not Mr. Ruſby, which of the partners it was?—I cannot ſwear: it might be Smith; it might be Ruſby, or a clerk.

Have you any reaſon to believe it was one more than the other?

Jury. Did you ſee the perſon?—I don't remember the perſon; I might not ſee him.

Mr. Erſkine. (*reads*) "Oats ſold upon account of Smith, Ruſby and Co.?"—Yes, Sir.

In your hand-writing?—Part of it is my hand-writing?

I will not aſk you the reaſon, becauſe I will not truſt you after what I have ſeen of you to-day; but I ſee it originally ſtood, Oats ſold on account of Smith, Ruſby, and Co. and I now find it ſtands "Oats ſold on account of Thomas Smith:" you ſaid the paper was a copy; give me the copy.

(*The paper given to Mr. Erſkine.*)

I will not aſk you; the reaſon I find now in the book, which you was directed to bring with you, and which you was told was improper not to bring, that it is altered, and you have put in your copy, "Oats ſold on account of Thomas Smith," and in the book it is "Oats sold on account of Smith, Ruſby and Co.?" Smith is one of the partners, and he ſaid it was ſold on account of Smith only, in conſequence of that it was ſtruck out.

When was that done?—It was a few days after.

Lord Kenyon. This tranſaction made a noiſe on the Corn Exchange immediately.

Mr. Erſkine. I obſerve, Sir, there is Smith, Ruſby and Co. in the entry?—Originally.

Then you ſtruck out Ruſby and Co. and it ſtands Smith only?—Yes, Sir. I was going to ſtate, Sir, that the original entry was in the name of Smith, Ruſby and Co.; a few days afterwards Mr. Smith ſaid, the Oats was on his own account, and then I altered it.

Now, Sir, take that book in your hand; upon your oath, when was the word Thomas put in there?

—It might be a few days after the original entry. I cannot ſay to a day exactly.

Will you ſwear the word Thomas was put in before the indictment was found?—I think it was a few days after the ſale.

Will you ſwear poſſitively, you had no notice of any proſecution at the time you interlined the word Thomas?—I had no notice of it. When the ſubpœna came to me, I knew nothing of the proceedings: I could not think what the ſubpœna was when it came into the 'compting-houſe.

Did not Mr. Snell ſay it was a very improper tranſaction?—I don't recollect Mr. Snell ſaying any thing about it: it might be ſo.

Mr. Erſkine. We will now read the entry; the original firſt, and then the copy.

Mr. Lowton. The entry is Oats ſold on account of Smith, Ruſby and Co. as it ſtands originally. Ruſby and Co. is ſtruck out, and Thomas Smith is interlined; ſo that it ſtands now, "Oats ſold on account of Thomas Smith." The copy delivered in by the witneſs is, 8th of Nov. 30 quarters of Oats at 43s. ſold to W. Hardy, Thomas Smith.

Mr. Erſkine. What does No. 84 mean, in red ink?—The folio of the book.

Have you got that here?—No, Sir, the account is in the name of Thomas Smith.

Jury. Was you in the habit of ſelling for Thomas Smith, or for the firm only?—We have not been in the habit of ſelling for them.

Was you in the habit of ſelling for Thomas Smith, individually ?—We ſell for any body.

Lord Kenyon. Why don't you anſwer the queſtion. —I don't remember any but that ſingle parcel.

(*Croſs Examination.*)

Mr. Law. Can you ſay whether you was actually by when it was brought ?—Very likely I might be.

I wiſh you to recollect whether you was ?—I have not a recollection of being at the ſtand.—Were there any of the houſe, a clerk, or who brought it ?—No, Sir.

Jury. You altered that entry before you heard of this proſecution ?—Yes, Sir.

Did you make it by Mr. Smith's direction a very few days after the ſale ?—Within a few days, by the direction of Mr. Smith.

Was the money paid to Mr. Smith ?—It ſtands in the account to Mr. Smith.

Have you a receipt for it ?—No, Sir.

You ſay this is the only tranſaction of the ſort ?—Yes, Sir; theſe 30 quarters, Mr. Smith told me, were on his own account.

Mr. Erſkine. That is my caſe.

Mr. Thomas Smith, *ſworn.*

I am in partnerſhip with Mr. Ruſby. The firm of the houſe is Smith, Ruſby, and Smith. I am the ſenior partner of that firm. I remember perfectly well Mr. Ruſby bringing a ſample of 90 quarters of Oats from Shrimpton and Co. on the 8th of November. Juſt after I came into the market he brought

them to me. He told me he had bought them that morning, and had given 41s. for them. After I came to examine them, I found he had given more than the market price for them at 41s. Mr. Ruſby ſaid he conſidered them as worth the money when he bought them, and could not ſee why I objected. I told Mr. Ruſby I thought they were in bad condition, being warm, it would be beſt to have them reſold. Mr. Ruſby aſked me why I wiſhed to have them reſold; I ſaid in conſequence of being warm, and not having ſale for thoſe kind of Oats, they being ſo much out of condition I thought. Mr. Ruſby ſtated to me it would be a very great offence to the houſe of Shrimpton if they were reſold; and the quantity was ſo ſmall it was not an object to us. Mr. Ruſby then went away, and I ſaw him about a quarter of an hour after. In the mean time nothing had been done with the Oats. I aſked Mr. Ruſby if he was in the ſame opinion as at firſt; he ſaid yes, he ſhould perſiſt in his opinion that the Oats ought not to be ſold; and told me if they were reſold that he would have nothing to do with it; and if the houſe of Shrimpton and Co. blamed us for ſelling the Oats on that day, he would have nothing to do with it: he would have nothing whatever to do with the tranſaction. Mr. Ruſby left me and went round the market, doing the neceſſary buſineſs in the market. I took the ſample of Oats to Preſt and Nattraſs's ſtand. Preſt and Nattraſs ſold them before he knew any thing of the matter; I told Mr. Ruſby, after they were re-ſold, as we walked from the Corn

Market home, I would take the blame to myſelf, and the Oats ſhould be made chargeable to me if he pleaſed. The following market day I communicated it to Nattraſs. It was the next time I ſaw Nattraſs. I gave the ſample I think, to the beſt of my knowledge, to Mr. Preſt. I think it was to Mr. Nattraſs I applied to make the alteration. I had the alteration made the following market day, in Nattraſs's books. I had not heard any body was diſſatisfied with this tranſaction, but my partner, before the following market day.

Upon your oath, do you not know it is a matter of frequent occurrence upon the Corn Exchange of London, that the ſame ſample bears various prices in the ſame day!—Yes. The Cornfactors very often ſell part of a cargo at ſuch a price, and then he ſays, I will ſell only ſo much at an advance.

Upon your oath, do you not know that it is a matter of frequent occurrence, that Corn is reſold at various prices, three, four, or five times the ſame day?—I ſay, Sir, that Corn is ſold at various prices, out of large bulks it may; I ſell ſo much at ſuch a price——

Lord Kenyon. You cannot think to evade the queſtion by ſhuffling.

Mr. Garrow. Upon your oath, do you not know it frequently occurs on the Corn Exchange, that the ſame Corn, without the ſmalleſt variation, is ſold over and over again the ſame day?—I do not; it may be ſold a ſecond time coming into different people's

hands; the firſt perſon ſells a ſmall quantity again the ſame day.

Have you not known the ſame ſample ſold more than twice the ſame day?—I have not.

Never?—Not as I recollect, it is impoſſible to recollect any particular parcel.

Have you not known many ſuch occurrences?—No, I have not; as I before ſtated, ſamples have been ſold, and reſold in ſmall quantities.

Lord Kenyon. You are aſked without breaking bulk, it is impoſſible but you muſt know it, and be able to anſwer it.

Jury. Whether the ſame identical parcel of Corn is not reſold the ſame day?—To the Merchant or Dealer?

To any perſon?—It is ſo.

Mr. Garrow. How much have you known it to increaſe upon the ſecond ſale in the ſame day, per quarter?—It is impoſſible for me to ſwear to that.

Mr. Garrow. I will make it poſſible, and will make you ſwear it.—I only know with reſpect to my own tranſactions.

Upon your oath, what have you known to be the profit of the ſame ſample?—I have ſold for three-pence, and I have ſold for ſix-pence.

For nine-pence?—And nine-pence.

A ſhilling?—Sometimes a ſhilling.

Two ſhillings; have you not ſold for two ſhillings?—I don't know but I might.

Mr. Garrow. Have you not known other perſons than yourſelf ſelling the ſame Corn at more than the

advance of 2s. the ſame day; other perſons than you, Thomas Smith, ſelling the ſame Corn over again, to a larger profit than 2s.?—No, I don't know that I could ſwear I know a tranſaction of that kind.

Will you ſwear that you never did?—That I never did.

Will you ſwear you never knew ſuch a tranſaction as re-ſelling Corn the ſame day to a profit of half-a-crown a quarter?—I won't ſwear any thing about it.

Three ſhillings?

Lord Kenyon.—I tell you you are bound to anſwer, if you don't criminate yourſelf; and if you don't anſwer, I'll commit you. He does not aſk you what you have done yourſelf.

Mr. Garrow. I will aſk you: have not you ſold, in the ſame market, Corn which you have bought the ſame day, at an advance of 5s. per quarter?

Lord Kenyon. You are not bound to anſwer. If you don't chuſe to anſwer it, ſay ſo.

I do not chuſe to anſwer it.

Have not you done this repeatedly? Have you not ſold, in the ſame market, Corn that you have bought in the market?—I have repeatedly.

You have done it with the knowledge of Mr. Ruſby.

Mr. Law. I object to that queſtion.

Mr. Garrow. Did Mr. Ruſhy ever, in any other inſtance, object to your re-ſelling what you had bought?

Mr. Law. I object to that.

Lord Kenyon. It is a curious ſtory to tell the

Public, upon the whole of it; what will they think now of foreſtalling and regrating?

Mr. Garrow. This had nearly tended to a diſſolution of partnerſhip, which would be a dreadful thing among jobbers. Upon your oath, did Mr. Ruſby ever, in any other inſtance, object to reſelling Corn?

Mr. Law. I object to it.

Lord Kenyon. I don't ſee any objection.

Mr. Erſkine. We don't perſiſt in the queſtion.

Witneſs. I can tell your Lordſhip it was the firſt tranſaction of the kind we ever did in our lives.

[*Mr. Preſt was called, but did not appear.*]

Mr. WILLIAM SMITH *ſworn.*

I am a partner in the houſe of Thomas Smith and Ruſby. I recollect what paſſed, when Mr. Ruſby came on the 8th of November, bringing a parcel of Oats upon a propoſition of re-ſale, he objected to it in very ſtrong terms, as being an offence to Mr. Shrimpton, and ſaid, it would be uſing Meſſrs. Shrimpton very ill, to give them to another to ſell that day. Mr. Ruſby was of opinion they were worth the money he had given for them. Mr. Ruſby and I were againſt the re-ſale. From firſt to laſt Mr. Ruſby did not conſent to the ſale; ſaid he was very ſorry it had been done, and diſſented before it was done:—he was ſo diſſatisfied, that it has been carried to Mr. Thomas Smith's account only—before any idea of a proſecution was ſuggeſted, Mr. Ruſby expreſſed his diſſatisfaction; and my brother ſaid he would take it to his own account. How ſoon was it you heard of any proſecution? I never heard

of it, till ſome time after Mr. Ruſby gave in bail at the Old Bailey. It was ſold at a profit. He had no part of the profit; his objection was merely, that it would be an offence to Meſſrs. Shrimpton, and was uſing them unhandſome, as Factors.

Croſs Examined.

Mr. Erſkine. When was it ſettled that he was to take the account; was it after the market, or before?—After the market.

So that Mr. Smith, having done an act againſt your opinions, you rewarded him by letting him take the profit to his own account: what do you take us for?—For men. Of ſenſe, or no ſenſe?—Senſe. Thank you for that. I ſhould not have collected it from your evidence. When the dialogue paſſed, Smith was there, was he not?—No, Sir. How long was it before Smith went?—It might be a quarter of an hour. Your reaſon was, it was worth the money?—We thought ſo, we thought we could ſell them to our own cuſtomers.

Mr. Garrow (to Mr. Snell.) I want to know whether I underſtand you correctly. I underſtand you, in the courſe of the market day, you ſpoke to Smith on the propriety of this tranſaction?—No, Sir, I did not; it was a few days after.

LORD KENYON.

GENTLEMEN OF THE JURY,

I have not been often preſent when a cauſe of more importance has been decided; but cauſes have

often come here, where large ſums of money and great wealth, real or perſonal, has been diſpoſed of, and where the intereſt of individuals is deeply concerned; and thoſe cauſes have always received that attention, from the abilities in that box, that were adequate to determine them.

Gentlemen, The cauſe that is now preſented to you, is in behalf of all ranks of people, the rich and the poor; but mainly on behalf of the lower order of people; becauſe, though ſome may have the comforts and conveniences of life, it is fit that all ſhould have the neceſſaries of life, and if the neceſſaries are enhanced in price, in conſequence of the intrigues and combinations that are formed by any ſet of men, in any part of the kingdom, that part of the public without which the ſuperior ranks cannot exiſt, are put into a ſituation in which the wiſdom of no country will ever place them. The Legiſlature of all countries, and the adminiſtration of juſtice in thoſe countries, are never better employed, I had almoſt ſaid are never ſo well employed, as when they condeſcend to look at thoſe who are the greateſt diſtance from them in point of rank: humanity calls for it, religion calls for it; and if there are minds which are not affected by humanity and religion, yet their own intereſts call particularly for it.

Gentlemen, the law has been ſtated to you, and if the Acts of Parliament which have been upon the ſtatute books for about one hundred and fifty years, are repealed; and were in my opinion in an evil hour, without conſideration enough, repealed; yet,

thank God, the power which repealed it was not informed of, or did not intend to repeal thoſe proviſions made by the Common Law;—that which is called the Common Law, exiſted undoubtedly after ſociety began to exiſt; after ſociety began to be formed; in very ancient times, which we cannot trace to their top, when men looked round them to ſee what was to be done; and we are not to ſuppoſe that wiſdom had not conſiderably advanced when William the Conqueror came over, or about the time when the firſt ſtatute in Henry III. got upon the ſtatute book; but by more modern reſearches, there are among the Saxon laws many traces found from which it is ſuppoſed the Common Law had its firſt origin among our Saxon Anceſtors. But without minutely tracing it back to the beginning, there is no doubt now, that by the Common Law of the Land, proviſions are made againſt the three offences, Foreſtalling, Ingroſſing, and Regrating, and it is now given in charge, I believe, ſince the exigencies of the times have required it, by the Judges to the Grand Juries; they have repeatedly been informed, that though the Statute Law upon this ſubject has been repealed, yet that by the Common Law thoſe offences are provided againſt. That this is an offence which has been deſcribed by the witneſſes today, nobody has controverted; it is properly admitted by the Learned Counſel who conducted the cauſe on the part of the defendant; and the ſingle queſtion is, whether that offence which exiſts and ought

to be remedied, has been committed by the party brought before you as a defendant.

Gentlemen, ſpeculators have ſaid that no ſuch offence as this exiſts, or nobody has been prejudiced by it: a very learned man has ſaid that witchcraft might be ſuppoſed to exiſt, as much as to ſuppoſe ſpeculation exiſts. I wiſh the life of Dr. Adam Smith, who was a great and learned man in this country, had been prolonged; it is a loſs of part of the public ſtock when a virtuous and good man dies. I wiſh he had been here to have heard the tranſactions which the witneſſes have diſcloſed, and then to have told me whether Foreſtalling, Ingroſſing, and Regrating, exiſt, or are as imaginary as witchcraft. If he had been told that Cheeſe, Candles, Fiſh, and dead Cattle had been brought to market to ſupply the exigency of the day, the next day, and perhaps of the third day, and that before it goes to the conſumer a man with a larger purſe comes to buy it from the poor, whoſe daily labour cannot enable them to go further than to ſupply their daily neceſſities, and the commodity was raiſed 5l. per cent. as in this inſtance; that 2s. a quarter was nothing uncommon, and half a crown, and even up to 5s. I would have aſked that ſagacious and excellent perſon, whether he was not now convinced that it was an offence more to be dreaded than witchcraft; and ſurely, Gentlemen, that which enhances the degree of offence, is the ſituation of the poor, for that miſerable pittance that is to be got by a poor man, or by a poor man's family, is hardly ſufficient for their ſup-

port, and a man muſt have loſt all feeling indeed, if he does not feel their diſtreſs knocking hard at his own breaſt.

Gentlemen, the learned Counſel ſays, it is not an offence committed by Mr. Ruſby. I know Mr. Nattraſs ſpoke the truth before the queſtion was ſufficiently open in order to lead men's attention to draw an inference; he ſaid that he knew Mr. Ruſby, that on the 8th of November he had a ſample of Oats, and he believed they had been delivered by Mr. Ruſby, and afterwards he ſaid, he did not know whether it was Ruſby or Smith, from whom he received it. Gentlemen, We are obliged to hear all the evidence, we are obliged to hear different numbers of witneſſes on different ſides; but the Jury has a rule which they will go by; it has been ſaid in Courts of Juſtice, applicable to witneſſes; *non numerentur ſed ponderentur*—though we are bound to hear and attend to all the witneſſes, we are not bound to believe them beyond a certain extent, and I confeſs there is no credit given by me to the ſtory told by Mr. Thomas Smith, I proteſt I cannot believe it; when he has told you it happened in a variety of inſtances, why ſhould there be ill blood between the Partners upon this tranſaction, ſo ſimilar as not to be diſtinguiſhed from many others when the market was over; thoſe that chuſe to believe it, will believe it; but it requires a degree of credulity to which I own I am not ſubject. It is the temper of the human heart, and it is the perfection almoſt of the human heart to exhibit friendſhip, and to do what one

can for a friend, always remembering to keep within certain bounds and not tranſgreſſing the laws of God, or the laws of man. Men at all times, and particularly under the ſolemn ſanction of an oath, ought to have the moſt ſacred regard to truth. Such is human nature, that thoſe who frequent courts of juſtice, for we are not monks or recluſes taken from our cells, knowing nothing of the world, but we have been bred up in, and are taken from thoſe paths of life which exhibit more virtue and knowledge than ſome other places which I have mentioned before, and ſhall not now repeat, but which I am proud to have named, and am proud that I ſtand acquitted in the eyes of my country.

Gentlemen, I did juſt check the learned Gentleman on the part of the Defendant with whom I have been in the habits of very long friendſhip, and who knows I have the moſt infinite reſpect for him; I did check him in order for him to review what he ſaid; he took the correction in good part, and put his caſe on the ground on which I think it ought to ſtand. A man is certainly not to be hanged by proxy for another; but a partner is liable for acts committed by his partner, where his intereſt is concerned. You cannot ſhut the door againſt the truth, and was it not Mr. Ruſby's intereſt when it went to the market a ſecond time, and produced a profit of five per cent.? Suppoſing it took place, it was for his benefit undoubtedly, but I am bound to believe it took place. Why did they come without the book, and produce a paper which was ſaid to be a copy, but which turn-

ed out to be no copy: that the offence has been committed, has not been diſguiſed. Mr. Smith thinking his ſhoulders broad enough, had ſtood forward and admitted it; and I am inclined to believe, if the ſame public ſpirit that brought forth this action was to commence another againſt him, he would ſtand almoſt unprotected. But you are not now to decide upon his guilt—but with reſpect to Mr. Ruſby's, whether you are of opinion it is brought home to him. It is a momentous queſtion which you are to determine. It has been ſaid, though I will not vouch for the truth of it, but what would you ſay if this caſe was ſtated to you, that a rich man had placed his meſſengers at all avenues of the Town, and bought up butter, and every thing coming to Town, and raiſed the price of proviſions fifty per cent?

Gentlemen, a precedent made in a Court of Juſtice that will ſtem the torrent of ſuch affliction to the poor, is certainly uſeful to the public.—GUILTY.

ABSTRACT *of the Trial of* S. F. WADDINGTON, Eſq. *which came on at Worceſter Aſſizes, July* 29, 1800.

THE KING AGAINST WADDINGTON.

At the *Niſi Prius* bar, on Wedneſday morning about eight o'clock, came on the trial of S. F. Waddington, Eſq. before Sir Simon Le Blanc and a Special Jury, compoſed of the following Gentlemen—

James Hickman, Herbert Rogers,
Martin Barr, Thomas Williams,
Robert Vellers, John Foreſt,

Robert Chamberlain,	Thomas Carden,
Richard Rowlands,	Samuel Blackwell,
John Wheeley,	Thomas Morris.

The information conſiſted of ſeveral counts, charging the Defendant with endeavouring to enhance the price of Hops at Worceſter, by ſpreading rumours of ſcarcity among the Planters, adviſing them not to ſell, and by ingroſſing a large quantity of that commodity.

Mr. *Plomer* opened the cauſe in a moſt argumentative and impreſſive ſpeech of conſiderable length: he detailed the evidence on which the proſecution was founded, and laid conſiderable ſtreſs on the audacity of the Defendant in continuing his illegal practices, after an information for a ſimilar offence in the County of Kent had been iſſued againſt him. While this proſecution was pending, this gentleman ſcrupled not to enter on new ſpeculations, and publicly to declare, that, in conſequence only of the proſecution againſt him, the price of Hops had declined. Mr. Plomer then went at great length into the calamitous circumſtances of the times, as to the high price of proviſions, and aſked, whether a man, who, in order to make himſelf rich, would willingly make all men poor, was not to be conſidered as the enemy of his country? He then ſtated the law upon the ſubject, from the third Inſtitute of Lord Coke, and from Mr. Serjeant Hawkins's Pleas of the Crown. Thoſe great authorities had laid it down, that the particular tranſactions charged againſt the Defendant in the information were offences at Common Law. This crime aſſumed a ſtill deeper dye,

when committed by the influence of vaſt wealth, which ought to be applied, not to increaſe, but to alleviate any public calamity; and long, very long had the people of this country borne with the moſt exemplary fortitude, the greateſt of all public evils. He ſaid, he ſhould prove by reſpectable witneſſes, from the conduct of the Defendant, that he came to Worceſter for the expreſs and avowed purpoſe of influencing its market, and of enhancing the price of Hops, which were now conſidered a neceſſary of life. He then took a view of Mr. W.'s conduct from the 29th of March till the 3d of May. On the firſt-mentioned day he made his entry into Worceſter, and in order to give a '*fillip* to the market,' as he expreſſed it, and to enhance the price of Hops, he made uſe of every means his genius could deviſe or his wealth could influence. The market at that time was what is called a *falling market*, low, and likely to be lower; this Mr. W. aſſured the Planters, and thoſe around him in the market, was occaſioned by a proſecution inſtituted againſt him; this proſecution he aſſured them was dropped, and that Hops would conſequently riſe in price. He adviſed them to hold their Hops, for that the ſtock in the hands the Brewers was nearly exhauſted, that they muſt apply to them, and that in a little time Hops would be at leaſt 20l. a cwt. if, however, any Planter was obliged to ſell from neceſſity, he would relieve him and become a buyer; this, ſaid the Learned Counſel, he completely performed, for he purchaſed at leaſt 300 pockets, and at a price of 30s. a cwt. more

than they would have been ſold to any other perſon. From the moment of his entering the market he ſhowed the greateſt hoſtility to the Merchants, but fixed upon the Planters as the objects of his attention and regard: of theſe he invited a great number to a dinner he had ordered at the Hop-pole Inn, poſitively excluding every other perſon. After a dinner which conſiſted of the rareſt delicacies, (for he ſpared no expence,) what do you think Gentlemen was the firſt toaſt this wonderful man gave? "*Hops, 20l. a cwt.*" Yes, Gentlemen, Hops, 20l. a cwt. and I believe you will not be ſurpriſed when I tell you that this toaſt, ſo congenial to the feelings of every perſon preſent, was drank with the moſt rapturous approbation! He then roſe and made a long harangue to his gueſts, in which he told them they had been for ſome years impoſed upon, that they never received a juſt price for their Hops, and were not rewarded for their toil, the expence, and the riſk they run in the cultivation of them; the Worceſter market ought at leaſt to be on a level with that of London; it was now much lower, but it was their (the Hop-planters) own fault if it continued to be ſo. He repeated that the ſtock of the Brewers was exhauſted, and ere long, they muſt come to the Planters for ſupply; he would freely give his aſſiſtance, and therefore adviſed them to keep their Hops from the market; but would buy himſelf rather than they ſhould be diſtreſſed for money. He ſaid he would build an extenſive warehouſe in Worceſter, for the general depoſit of all their Hops, and that he would eſtabliſh a bank at the end

of it, from which Planters might be ſupplied with whatever their neceſſities demanded. This ſpeech, Gentlemen, produced, if poſſible, louder acclamations than the toaſt, and no wonder: for who could be indifferent, or check the wild emotions of the ſoul, with ſuch a golden proſpect in view!—A gentleman preſent then roſe, and gave, "*Mr. Waddington, the Saviour of the county.*" You ſee, Gentlemen, he was hailed the ſaviour of the county, by which it plainly appears, that thoſe who were intereſted fully underſtood all his deſigns, rejoiced in all his projects, and firmly expected him to complete his grand purpoſe, that of enhancing the price of Hops in the Worceſter market.

The meeting then broke up, but Mr. W. did not ſtop here; he had promiſed the planters to viſit them again in three weeks,—and he kept his word, for on the 19th of April he made his re-appearance in the market, and was hailed with univerſal joy. He was ſoon ſurrounded with planters, and finding difficulty in ſpeaking to ſo many individually, he retired into the warehouſe of Meſſrs. Yarrington and Phillips; he mounted upon a ſack of clover, or ſome other ſeed, and from this roſtrum he harangued them much in the ſame ſtrain as before at the Hop-pole: he ſaid he was ſorry to ſee ſo many ſamples reſerved for him, that he was not made of money, and could not buy all their Hops on that day, though the proſpect had increaſed, and the profit would be enormous; he would adviſe to hold them as long as they could—but if they were determined to ſell, he

would then purchaſe 200 pockets at the market price, 12l. 10s. and 200 more on that day fortnight advancing 10s. per cwt. and ſo on riſing 20s. 30s. &c. per cwt. till the price ſhould amount to 15l. "Gentlemen," exclaimed the Counſel, "what can be more criminal than this?—a bounty on Foreſtalling, a bounty on wickedneſs, a bounty on the moſt manifeſt injuſtice, particularly in theſe deplorable times, that can poſſibly be committed.—This propoſition was acceded to, and he actually contracted for a large quantity of Hops, the number of pockets, prices, time, places of delivery, &c. particularized upon a paper ruled in columns, evidently prepared before hand for this purpoſe. On the 3d of May, Mr. W. once more viſited Worceſter, ſtill keeping the great and primary object in view; he followed the ſame plans, in the ſame places, and with the ſame perſons as on the two former days. Expence was but a ſecondary conſideration; he made large purchaſes, ſome at 15l. per cwt. which were offered to another perſon before Mr. W.'s arrival at 13l. per cwt. and on his ſecond viſit, he actually paid for a lot of Hops, to one Planter, 60l. more than the current price of the day. —The Learned Counſel ſaid, he ſhould eſtabliſh theſe facts upon pure and unimpeachable evidence; ſuch evidence as would convince even a child, and prevent a poſſibility of the underſtandings of the Jury being duped into a belief that Mr. W. came to Worceſter for any other purpoſe than that of enhancing the price of Hops in its market, he believed the Jury would do their duty, but affirmed, that

they could not view the conduct of the defendant in any other light. The greateſt ingenuity would no doubt be exerciſed, to prove he was influenced by other motives, but the facts were ſo glaring, ſo free from diſguiſe, as utterly to preclude miſconſtruction, and be proof againſt the higheſt ſophiſtry the mind of man was capable of conceiving. The law has long ſlept, but, ſaid he, it cannot ſuffer theſe practices with impunity, now they have ariſen to ſuch a height as to become a general evil to the community, and to endanger our well-being, if ſuffered longer to exiſt: they involved the domeſtic comforts of every claſs of ſociety; they involved the beſt intereſts of the country, and the country loudly called for the hand of juſtice.

However ſpeculative men might think in their cloſets on the ſubject, the law of the land was certain. It had been ſettled by the wiſdom of our anceſtors, and the only queſtion which the Jury would have to try, was, whether the Defendant had brought himſelf within its meaning? If they thought, from the evidence he ſhould lay before them, that the defendant had not acted with the fair intention of buying Hops in the ordinary courſe of trade, but that his language and proceedings were pointed excluſively to the end of enhancing the price of Hops, with a view to his own private purpoſes,—then they could no otherwiſe diſcharge their duty, and ratify their oaths, than by finding the defendant guilty.

He then proceeded to examine the witneſſes:

Mr. Wm. Penn ſworn:—he ſaid he was Clerk to Mr. Thomas Hodges, of Worceſter, Hop-merchant,

and was in the habit of attending the market, and of buying and ſelling Hops for his employer;—he there ſaw the defendant on the 29th of March. The ſtock of Hops in hand was conſiderable, the market was low, and ſelling at about 11 or 12l. per cwt. The market at Worceſter is holden on Saturdays, and the chief buſineſs is done between the hours of ten and twelve. Mr. Waddington was in the market on that day, ſurrounded by a very great number of people.—On that occaſion, Mr. Waddington ſaid, that, owing to the proſecution commenced againſt him, the price of Hops was lower; but that he could aſſure them, from high authority, the proſecution was dropped, and that of courſe the price would riſe. The defendant further ſaid, that Hops were nearly exhauſted—that the London brewers muſt, in a ſhort time, come upon the market; and that the planters might depend on him, the defendant, doing his utmoſt to keep up the price.—He adviſed the planters, if they did not want money, not to ſell, as Hops would riſe. In conſequence of what Mr. Waddington ſaid on this day, the ſamples next market day were fewer, and the planters not inclined to ſell.—He farther aſſured them, that Hops would ſoon be at 20l. per cwt. and that the planters might depend upon his aſſiſtance to keep up the price.—Theſe expreſſions were made in the public market, frequently repeated, and diſtinctly heard by every one near him. Mr. Penn ſaw many planters offer the defendant ſamples, which he uniformly rejected, aſſuring them the prices would be much higher, and adviſing them

to keep their ſtock, if they were not in want of money;—in this caſe he had no objection to buy; and, upon being importuned, the witneſs ſaw him make ſeveral purchaſes:—on this day there was not a great market.

Mr. Penn attended the market on the 19th of April, three weeks after, Mr. Waddington was again expected.—When he came, he went into Meſſrs. Phillips and Yarrington's warehouſe.—He there mounted on a ſack, and told the company, he was not come to buy; but he ſaid, on that day, he would buy 200 pockets at 12l. 10s. that being the market price; on the ſucceeding fortnight 200 pockets more; and 200 pockets more each fortnight, at a ſucceſſive riſe, till the price came to 15l. per pocket. The Hop-merchant is a character that buys of the planters, with intent to ſell again to perſons, who are themſelves retail ſellers. In January, and the beginning of February, Hops were at the rate of 15 or 16l. per cwt.—They afterwards fell in price. At the beginning of March they were at 13 guineas. The antecedent crops had not been abundant, but the ſtock in hand in March was conſiderable. The reaſon of this was, that the crops of barley laſt year being very bad, the brewers had uſed leſs Hops than uſual. When the defendant was mounted on the ſack in the warehouſe, he ſaid, that he was obliged to the company for the preference they had given him, but that he was afraid he ſhould diſappoint them, as he was not come with an intention of buying;—that he would agree to this plan, viz. that

he would, on that day, buy 200 pockets at the market price, 12l. 10s. and would purchaſe an equal quantity for two months, at an advance of 10s. each fortnight, till the price amounted to 15l.—He then produced a book for ſuch planters as choſe to accede to his offers to write their names in. Many of the planters accordingly followed him into the counting-houſe. During this time, the defendant, in his addreſſes, adviſed the company not to ſell their Hops, for that they would certainly be higher. On the 29th of March, a dealer in Hops offered the defendant his Hops;—to which he anſwered, that he did not buy Hops of dealers—but that, to oblige him, if he wanted money, he would take them off his hands, and offered 13l. per cwt. obſerving, that he had better keep his Hops, as they would be dearer. The market that day was flat; the dealer aſked 13l. 13s. but took of the defendant 13l. 6s. On the 28th of March, the defendant, with his partner, Mr. Warwick, and Mr. Yarrington, came to the Hop-pole Inn, and ordered a dinner for ſixty or ſeventy perſons on the following day, for which he would pay. A number of perſons came. In conſequence of Mr. Waddington's previous direction to the maſter of the inn, none but Hop-planters were admitted. A written notice was put over the door of the room in which the company dined, that none but Hop-planters were to be admitted. Ninety-ſeven planters dined, and their expences next morning were paid by Mr. Waddington.—Mr. Waddington gave as a toaſt on the occaſion, "Hops, 20l.

a hundred weight :" which was received with great approbation. The other parts of Mr. Penn's evidence related to the ſtate of the markets, the crops, and the quantity of Hops ſold at particular times :—on being aſked how many pockets Mr. Hodges, (his employer) ſold in a year? Mr. P. appealed to his Lordſhip on the propriety of this queſtion, and aſked whether he was compelled to anſwer it? His Lordſhip ſaid, certainly not, but he was bound to ſay, if required, how many pockets a Hop-merchant might ſell in a year;—Mr. P. then ſaid, it depended entirely upon circumſtances, from 1000 upwards.

Mr. Harwood, grocer in Worceſter, corroborated the evidence of Mr. Penn, relating to the 19th of April. He ſaid the paper the Defendant produced on that day was ruled in columns, in which the Planters were deſired to enter their names, price, the time when, and the quantity they would deliver. He believed the conduct of the defendant, and the contracts he had made, cauſed an advance in the markets.

Mr. Taylor, grocer, ſaid he attended the market on the 29th of March. He offered the defendant a ſample of Hops, which were rejected, Mr. T. not being a planter; but afterwards the defendant ſaid he would purchaſe if Mr. T. wanted the money.—Witneſs ſaid he did, and then offered his ſample at 13l. 13s., which Mr. W. accepted at 13l. 6s. Being aſked whether the defendant ſought him, or he the defendant in the market,—he ſaid he underſtood

Mr. W. to be a likely man to give a good price, and that was the very man he wanted.

Mr. Weaver, of the Hop-pole Inn, was then ſworn. The firſt time he ſaw the defendant was on the 28th of March; the defendant ordered a dinner at his houſe, for a large party on the following day, fifty at leaſt, but ſaid he would pay for as many more as might come, and deſired the witneſs to give a general invitation to the Hop-planters, in the market: this not being clearly underſtood, the witneſs ſaid he invited ſeveral other perſons in the trade, not planters; and having ſo informed the defendant, was told that planters *only* were the perſons he wanted, as he had ſomething particular to communicate. To prevent inconvenience the witneſs ſuggeſted the propriety of placing a written paper over the door, with theſe words, "*None but Hop-planters admitted*"—which was accordingly done. At dinner the witneſs ſaid, there were ninety-five perſons, and two who came afterwards, making in the whole ninety-ſeven. The firſt toaſt given by the defendant was "The King!" —He then gave, "*Hops, twenty pounds a hundred.*" The defendant then made a long ſpeech to the perſons preſent, which the witneſs did not hear diſtinctly, being employed in placing the wine, &c. upon the table; but remembers hearing the defendant ſay he had no other motive for coming to Worceſter than to ſee juſtice done to the Hop-planters; he profeſſed himſelf their friend, and ſaid he ſhould have more pleaſure in ſerving them than in putting money in his own pocket, for that to him was no object.

Witneſs heard the defendant adviſe the planters to keep back their Hops, ſay that the ſtock of the brewers was nearly exhauſted, and that Hops would ſoon be at 20l. a cwt. he would buy himſelf from thoſe who could not hold their hops, at 12l. 10s.—but that the profits would be much greater if they kept them a little longer. Heard the defendant ſay ſmall planters were often compelled to ſell (for want of money) at a low price ; and that he had ſeen ſuch hops ſold afterwards by factors, at a great advance ; that he would eſtabliſh a warehouſe in Worceſter for the accommodation of planters rather than that they ſhould ſell at an improper price. Witneſs recollected a Bank being mentioned, but could give no account of it, being employed in attending upon the company.

Mr. Yarrington ſaid, that the defendant came to his counting-houſe on the 29th of March ; adviſed him to buy Hops if he wanted any, as they wonld be higher. After ſtopping a few minutes in the counting-houſe the defendant went into the warehouſe to ſpeak to the planters, and the witneſs went immediately home ; therefore did not hear defendant's ſpeech.—Does not know of any other buſineſs the defendant had at Worceſter but to buy Hops ; never heard Mr. Waddington ſay that he had a large quantity of Hops on hand ; believes that it has been very cuſtomary for dealers in the Worceſter market to purchaſe much larger quantities of Hops at one time than were purchaſed by the defendant ; believes that any other man laying out as much mo-

ney as the defendant did, would have had the effect of advancing the market; but thinks, if the ſame ſum of money had been put into the hands of one, two, or three gentlemen of the trade here, it would have advanced the market more, as the planters did not appear to have confidence in Mr. Waddington, he being quite a ſtranger amongſt them. He recollected the defendant's health being given by Mr. Chambers; but is confident Mr. C. did not make the addition alluded to by Mr. Plomer in his opening. Witneſs ſaid he could not tell how many pockets of Hops were purchaſed by Mr. Waddington in the whole, but that his clerk, Mr. Pennethorne, attended with the neceſſary proofs, taken from the warehouſe books. Witneſs ſaid that there had not been a full crop of Hops ſince the year 1794; the produce of the year 1797 was generally conſidered as three quarters of a crop.—That the amount of the duty paid could not be conſidered as a criterion to judge by, as the plantation of Hops had been increaſing for many years paſt.

He believed that the preſent advanced price of Hops was occaſioned by the extreme bad appearance of the Hops now upon the poles.

Mr. T. Pennethorne ſaid, he was clerk to Meſſrs. Yarrington and Phillips, that he ſaw the defendant on the days ſtated in the information, and made memorandums of his different contracts; theſe the witneſs produced, and ſtated the quantity, price, time of delivery, &c. the number of pockets amounting

to 1075. Being aſked what he believed to be the whole ſtock on hand in Worceſterſhire and Herefordſhire, ſaid, about 5000 pockets.

Mr. John Racſter, a Hop-planter, ſaid, he dined with the defendant on the 29th of March, and had ſold him a quantity of Hops. Never heard him adviſe Planters to hold ſtock, or talk about a bank, warehouſe, &c.—Being aſked whether he had not profited 60l. beyond the market price, on the Hops ſold to the defendant, he anſwered no; but inſtantly acknowledged he had ſaid ſo, merely by way of joke, to ſome perſons, who, he ſaid, were teaſing him about his good bargains.

Mr. Green, a Hop-merchant, ſaid, he ſold a quantity of Hops to Mr. Waddington on the 3d of May, for 15l. per cwt. which he had before offered to Mr. Hodges for 13l. but could not recollect whether on the ſame day he ſold to Mr. W.

Mr. Thomas Hodges ſwore, that the Hops Mr. Green ſold to the defendant for 15l. were the ſame Mr. G. had offered to him for 13l. on the early part of the 3d of May, before the defendant's arrival.

Mr. William Hooper, Hop-merchant, of this city, ſwore to the ſtate of the markets, which he ſaid were falling, and believed they again roſe in conſequence of the conduct of the defendant, and the purchaſes he made.

Mr. Archibald Duncan, Hop-merchant, of this city, ſwore to the ſame points as the preceding witneſs; ſaid he had been long in buſineſs, and that

the markets always roſe on the appearance of a ſtranger, particularly if he made large purchaſes.

(*Here the evidence cloſed.*)

By the croſs-examination of the witneſſes for the proſecution, the counſel for the defendant endeavoured to prove, that the Hop Trade was always conducted by the Factors in a ſimilar way, as to the manner of the purchaſes, with the plan adopted by Mr. Waddington. It was admitted, on all hands, that much larger quantities had often been purchaſed at one market by individual dealers; but the Learned Judge obſerved, that this kind of evidence ſtood for nothing, as Mr. W. could not poſſibly be acquitted of doing wrong (if he had done ſo) becauſe other dealers might have acted unlawfully likewiſe. "If," ſaid his Lordſhip, "a man commits a robbery in this county, is he to be pardoned becauſe another man had committed a ſimilar robbery in the next?"

Mr. Dauncey, leading Counſel for Mr. Waddington, then roſe, and addreſſed the Jury in a ſolemn, eloquent, and ingenious ſpeech of great length:—He began by reminding them of the public calamities, particularly of the diſtreſſes of the poor, who had been almoſt entirely ſupported by their bounty, and that of others in ſimilar circumſtances and ſituations; but conjured them to ſet aſide every feeling they might have upon that ſubject, and to be extremely careful, leſt the pathetic and eloquent addreſs of the Learned Counſel for the proſecution, ſhould prejudice their minds, and in-

duce them to decide from other circumſtances than the evidence brought before them. He ſaid, he ſhould have troubled them very little if he had ſtood there for Mr. Waddington only,—he repreſented the whole trading intereſt in the country, a country which could never have ariſen to its preſent grandeur, but for the extenſive ſpeculations of its merchants: he contended that Mr. W. was one of theſe men; and if a verdict was pronounced againſt him, it was pronounced againſt every merchant in the kingdom; was a check upon all their enterpriſes, and a mortal ſtab even to the proſecutors in this caſe. He ſaid, Mr. W. had not come into the market clandeſtinely, he had come openly, had declared his intention, and had purchaſed largely;—this every man had a right to do, and if he was not permitted to buy to the extent of the demand upon him, what would be ſaid to Mr. Timothy Brown, of the Borough, to many other reſpectable names, and even to the gentlemen around him, who were really the authors of this proſecution, for it was no ſecret.

He ſaid his Learned Friend had told the Jury, that the law upon this ſubject was ſo plain, that "*he who runs may read*;" but ſo far from its being free of every doubt, he would prove that the law, which related to this caſe, had been repealed:—he then produced an extract from the Journals of the Houſe of Commons, containing the repeal, with the names of the Committee who ſat on the occaſion. He ſaid no attention could be paid to what had been

quoted from Serjeant Hawkins, as his Learned Friend had very ingeniouſly left out the word FALSE, upon which every thing depended; it was not by ſpreading rumours, but by ſpreading FALSE rumours, that a man could be convicted of ſuch an offence. The defendant, he ſaid, was charged with Ingroſſing and Enhancing the price of Hops, that he might ſell again at a large profit, yet, the firſt thing he did on coming into the market, was to tell the Planters that Hops would be dearer, and adviſe them to keep their ſtock.—If one of theſe accuſations be true, the other muſt evidently be falſe; they were expreſs contradictions; they cut athwart, and were completely deſtructive of each other. He then commented on the quantity of Hops uſually purchaſed on a market day, and declared that many perſons had bought more than three times the number of pockets in one day that Mr. W. had done, and inferred from thence, the Jury could not give a verdict againſt him.

The ſtate of the Hop Plantations next attracted his attention, when he made many ingenious remarks on the uncertainty of the Hop, the quantity produced, and the fluctuation of the markets. He endeavoured to define *Ingroſſing*, which, he ſaid, was the act of purchaſing ſo great a quantity of any one article in the market, as not to leave a ſufficient ſupply for thoſe who came after;—this was not proved againſt the defendant, for he had not purchaſed more than one-fifth of the ſtock on hand. The ſcarſity in the markets aroſe from the ſeaſons, and other

circumſtances, as it had been proved there had not been a good crop for ſeveral years, and the preſent proſpect was very bad indeed.

After ſome general obſervations on the whole of the evidence, he concluded a moſt elegant addreſs, by again begging the Jury to diveſt themſelves of every prejudice, and judge Mr. Waddington as if they had never ſeen or heard of him before.

Mr. Juſtice Le Blank, the Learned Judge, then delivered his charge to the Jury; he remarked on the enormity of the offence, and believed it came under the cognizance of the common law, though different opinions were held by the counſel at the bar—but with this the Jury had nothing to do; they were not to decide whether it was an offence or not, for that would be determined in another place; they were, ſuppoſing it an offence, to find the defendant guilty or not guilty of the charge as ſtated in the information, from the evidence which had been brought before them. He then minutely ſummed up the evidence, upon which he commented with much ingenuity: he ſaid, it was highly reſpectable, and the Jury muſt believe it, as the Counſel for the defendant did not controvert it by a ſingle witneſs. If the Jury found circumſtances ſufficient to enable them to acquit the defendant, he knew it would give them more pleaſure than to pronounce a verdict againſt him.

The Jury retired for a ſhort time, when they returned a verdict of GUILTY.

SESSION-HOUSE, *for* MIDDLESEX, *July* 12, 1800.

FORESTALLERS.

A moſt important cauſe to the public was on Saturday tried at this Seſſion-Houſe.—Robert Hill, and William Hill, two butchers in Newport Market, were indicted for Foreſtalling, by buying cattle at Knightſbridge, on the road to Smithfield Market.—The fact was clearly proved, and it appeared to have been a common practice for butchers to meet droves of cattle coming to market, and buy them up. The enormity of the practice was fully impreſſed upon the Jury by the Chairman, in his addreſs to them. They were both found guilty. In conſideration of the Defendants being the firſt examples ſince theſe ſort of proſecutions fell into diſuſe, and the offence itſelf not being ſufficiently promulgated, the Court only ſentenced them to pay a fine of *twenty pounds* each, and to be *impriſoned three months*.

John Stennett, a Butcher, reſiding in Spitalfields, was tried, on the 16th of September, for Foreſtalling Smithfield Market, on the 6th of March laſt, by purchaſing two cows and one ox at the Swan Yard, Knightſbridge.

William Stennett was convicted the following day of a ſimilar offence. The evidence did not in the leaſt differ from that adduced againſt his brother, John Stennett.

The Jury found the defendants *guilty*.

The Foreman of the Jury obſerved, that not only himſelf, but ſeveral of the Jury were perſuaded of

the reſpectability of the defendants, who had been convicted: they were ſatisfied neither of them were appriſed of the illegality of a practice which had been common among the trade;—they had thought it their duty to find them guilty; but if the Court could do any thing to mitigate their puniſhment, it was the unanimous wiſh of the Jury.

Mr. Mainwaring ſaid, the Jury had acted honourably in finding the defendants guilty, and in recommending them to mercy. It was equally the deſire of the Court to ſhew lenity towards men ſtanding in the ſituation of the defendants; it had been deſirous of doing ſo on a former occaſion laſt Seſſions, when two reſpectable butchers were convicted of a ſimilar offence. If it were true that the nuiſance had been removed, and that the practice of meeting the cattle on their way to Smithfield market no longer continued, he did not ſee the neceſſity there was for any further proſecutions. He believed there were many perſons who did not conſider, that, by ſuch a practice, they were offending againſt the law; but, on the contrary, imagined, that when an alteration in the Law was made, by the repeal of the old ſtatutes againſt Foreſtalling, there was an end of the offence altogether. It had required the authority of a very great legal character to declare to the public, that the Law was not repealed, though the Statutes were. At the laſt Seſſions the Court had gone as far as it thought itſelf juſtified in mitigating the puniſhment of the perſons convicted. It had been conſidered that the ſentence then inflicted was as mild a one as

could, with ſafety to the public intereſt, be adopted. Upon the preſent occaſion, he ſhould have taken that ſentence as his guide, and paſſed a ſimilar one; but he ſhould now feel it his duty to ſtate to the Bench what had fallen from the Jury; and if they were of opinion any alteration could be made with reſpect to the puniſhment, he ſhould be happy to concur with them. If, upon inquiry, it ſhould turn out the practice was put an end to, it would go a great way in the defendants' favour. If the contrary ſhould appear, inſtead of the puniſhment being lowered, it would be increaſed ten-fold.

One of the Juſtices remarked, that, although the practice might have been diſcontinued at the Swan-yard, Knightſbridge, yet that it continued along the different roads leading to the Metropolis.

Mr. Mainwaring hoped the practice would be proſecuted wherever it was diſcovered. If after this general notice, any perſon was found offending, puniſhment would be inflicted with the utmoſt ſeverity the law would admit of.—The Court ſentenced them to pay a fine of *Twenty Pounds* each and to be *impriſoned Three Months*.

Convictions on the Hay and Straw Act.

Union-Hall, Southwark, Sept. 8, 1800.

36 Geo. III. *c.* 88, § 10.

This morning came on to be heard before John Morgan and Peter Broadley, Eſqrs. ſeveral informations againſt *Richard Parſons*, Hay and Straw Saleſman, on the 10th Section of the above Act, for

omitting to regiſter, in the Regiſter Book of the Haymarket of the Borough of Southwark, the ſales of ſeveral quantities of Straw.

Mr. Lawes, as counſel for the Saleſman, contended, that the informations were not tenable, inaſmuch as they did not ſpecify to whom the Straw was ſold, ſo that it was impoſſible the party charged could be prepared to rebut the charge, and that of courſe there was no evidence to convict him. The opinions of the Magiſtrates were, that the Regiſter Book was of itſelf ſufficient evidence of the ſale, and of courſe ſuperſeded any neceſſity for the proſecutor to examine evidence as to the ſale, and the Saleſman was convicted in the mitigated penalty of TEN SHILLINGS.

PUBLIC-OFFICE, WHITECHAPEL,
Friday, Sept. 12, 1800.

This day came on to be heard the adjourned caſe of the information exhibited againſt Thomas Benton and John Gingell, Saleſmen of Hay and Straw in Whitechapel, before Dr. Reynett, Daniel Williams, Rice Davies, and John Liptrap, Eſqrs. they being charged with not entering properly their places of abode, and to whom they ſold the Hay, in the book or regiſter of the market, as required by law; ſeventeen informations were affirmed againſt Benton, and thirteen againſt Gingell, being thirty in the whole, when the Magiſtrates were pleaſed to inflict *ten ſhillings* penalty, and *five ſhillings* and *ſixpence* coſts on each information.

On the 27th of Auguſt, 1800, the Clerk of Whitechapel Haymarket appeared before the Magiſtrates of the ſaid Public Office, charged on ſixteen informations for refuſing to ſhow the Regiſter Book of the Market; he was convicted in the mitigated penalty of TEN SHILLINGS each, with coſts.

At the Quarter Seſſions in January 1800, held at Portſmouth, a perſon of the name of FULLER was convicted of regrating Poultry, and other articles of proviſion, and depoſiting them in a ſecret part of a back ſtreet, to create an artificial ſcarcity. He was fined *twenty pounds*, to the great ſatisfaction of the inhabitants of that town.

We inſert the above as a ſolitary conviction of a practice that is but too prevalent in the Capital, and one of the principal cauſes of the high price of proviſions, and conſequently a main cauſe of the late alarming riots in the Metropolis and other parts of the kingdom; and as the prevention of this iniquitous practice in a great degree lies in the power of the Magiſtrates, it is earneſtly hoped that ſuch offenders in future will be brought to ſpeedy juſtice. The old expreſſion will then be be verified, "Take away the cauſe and the effect ceaſeth;" or, in other words, let the price of proviſions be reaſonable, and we ſhall hear of no more riots or even pretext for popular tumult.

In September 1796, an eminent Cornfactor was convicted before the Lord Mayor, (Alderman Curtis) at the Manſion-houſe, in the penalty of *ten pounds*, for having given to the Meal-weighers appointed by the

City of London, an untrue account of the prices of the ſeveral ſorts of Grain ſold by him, at the Corn-market, in London, on the preceding Monday. It appeared that in the return made to the Meal-weighers, the Factor had omitted 300 quarters of Wheat which had been that day ſold by him at a price conſiderably under any which were certified to his Lordſhip, to enable him to form an average, previous to the fixing the Aſſize of Bread for the enſuing week by the Meal-weighers' return. After continued exertions his Lordſhip was at length enabled to make the preſent diſcovery, which we hope will eventually tend to remedy an evil which certainly has conduced to the enhancing and keeping up the price of Bread, and we can have little doubt that every exertion will continue to be uſed by the Chief Magiſtrate in detecting and puniſhing with the utmoſt rigour of the law, thoſe perſons who ſhall infringe the regulations appointed by the Statute of the 31ſt George II. *c.* 29. § 18.

It appears, however, that this eminent Corn-factor (ſaid to be Mr. W*****) appealed from this conviction; the reſult of which was, that the ſaid conviction was *quaſhed* in conſequence of ſome *informality in the proceedings.*

CHAP. XVIII.

Letter to the Lord Chancellor on the Rumour of an approaching Scarcity of Proviſions—reſult.—The Author offers a Reward for the Conviction of Foreſtallers, &c.—Mr. Bradford's Letter on that Subject.—Illegal Market propoſed to be held at London Black-Water, Hants.—Mr. Luxmore's Letter on the Price of Grain.—J. Spratley's Letter on the Quantities of Grain carried through the Turnpike-gate at Maidenhead.—Two Letters from Marlborough.—Mode adopted by the Author to obtain the Names of the principal Corn-dealers, &c.—Letter addreſſed to the Author on the illicit purchaſe of Cattle.—The Author ſolicits the Grand Juries to take into Conſideration the high price of Proviſions.—Lord Kenyon's Charge to the Grand Jury at Shrewſbury, on the ſame Subject.—Letter of the Author's to the Lord Chancellor recommending a General Thankſgiving.—The Form of Prayer ordered to be read in all Churches, &c.—Reflections on the arts of Jobbers, Badgers, &c.—Laudable conduct of the Magiſtrates of Wincheſter.—Declaration of the Bakers of Glouceſter.

IN the beginning of June 1795, when a rumour of approaching ſcarcity had alarmed the public mind, a reſpectable body of Bakers in the Metropolis re-

queſted the Author to inform his Majeſty's Miniſters of the diſtreſs with which the country was threatened. Having then no reaſon to ſuppoſe, that their repreſentations were in any degree ill founded, or exaggerated, and anxious to aid in averting ſuch a national calamity, he conceived that the beſt mode would be to addreſs the Lord Chancellor on a ſubject of ſuch moment; in conſequence of which, he wrote the following letter to his Lordſhip :—

My Lord,

Having been applied to, by many of the Bakers, to intreat your Lordſhip's interference reſpecting the preſent high price of bread, and the great ſcarcity of wheat in this kingdom, I am informed by them, that if the beſt wheat was prohibited from being uſed in the trade until the harveſt ſhould be got in, or for any other given period, the poor would reap great benefit by it, provided a Proclamation was made to this effect, that, inſtead of the firſt flour being uſed in bread, &c. ſeconds or cones ſhould be ſubſtituted, mixed with rye, barley, oats, &c. viz. two-thirds wheat, one rye, barley, or oats: by theſe means, the bread would be much more wholeſome, and far cheaper to the poor. And I beg leave to ſubmit to your Lordſhip, that this ſtep ſhould be countenanced by all ranks of people, otherwiſe it may add more poignancy to the feelings of the lower claſs, than the hardſhip which this propoſition is meant to palliate. I hope your Lordſhip will excuſe

the liberty I have taken in addreſſing your Lordſhip on the ſubject.

I have the honour to be,
With the greateſt reſpect,
My Lord,
Your Lordſhip's moſt obedient,
18, *Clement's Inn*, Humble Servant,
June, 1795. JOHN STANFORD GIRDLER.

To the Rt. Hon. the Lord Chancellor.

The reſult of this communication was the honour of an interview with his Lordſhip, who aſſured the Writer, that he would lay his letter without loſs of time before the Privy Council. The Author has, however, to lament, that he then took up this buſineſs on ſuch light grounds, by ſtating in his letter to his Lordſhip, that the ſcarcity was *real*; as, on further inquiry, he found that it was *artificial*.

In order then to obtain every information on a matter that ſo deeply intereſted the public, the Author immediately opened a general correſpondence in ſeveral parts of England and Wales; and, from the vouchers which this plan put him in poſſeſſion of, he ſoon learned, though the harveſt had not been generally ſo productive as in common years, the ſudden and very high price of wheat could not in juſtice be attributed ſo much to the deficiency, as to the inordinate avidity of Foreſtallers, &c. Strongly impreſſed with this opinion, and fortified by incontrovertible evidence, he reſolved, as far as in his power, to defeat the pur-

poſes of baſe unfeeling ſpeculators. As the firſt ſtep, he drew up the following advertiſement, (July 1795) which he inſerted occaſionally in the Reading Mercury for many months, and alſo repeatedly in the St. James's Chronicle :—

A Reward of TWENTY POUNDS *offered againſt Foreſtalling, Ingroſſing, and Regrating.*

WHEREAS it is a frequent practice in the markets, particularly Reading, Newbury, and Henley, while one perſon is bargaining for grain, for another perſon to enhance the price.—Any perſon giving information againſt a Foreſtaller, Ingroſſer, or Regrator, and cauſing ſuch perſon or perſons to be convicted thereof, ſhall, on ſuch conviction or convictions of any offender or offenders, receive a reward of Twenty Pounds, to be paid by J. S. GIRDLER, Eſq. of Hare Hatch, near Maidenhead.

Mr. Girdler cannot take notice of any letters ſent him, reſpecting Foreſtalling, &c. unleſs the names and places of abode of theſe perſons are more particularly deſcribed,

Mr. G. is obliged for the letters received from Wiltſhire, Somerſetſhire, Staffordſhire, Glouceſterſhire, Oxfordſhire, Berkſhire, Worceſterſhire, Warwickſhire, Leiceſterſhire, Cambridgeſhire, Hertfordſhire, &c. &c.

*** Any further information reſpecting the preſent real or *ſuppoſed* ſcarcity of grain, will be eſteemed a favour, but no *anonymous* letters will be received."

In conſequence of this advertiſement, and other active ſteps he was known to have taken in this important buſineſs, informations of illegal practices poured in upon him from every quarter. The Ingroſſing practice of purchaſing wheat and other grain while growing on the land, he *knew* as well prevailed *then*, as he *knows* it does in a much greater degree *now*; but if it had been poſſible for him to have entertained any doubts of a fact ſo notorious, the following letter, which he received in Auguſt 1795, from Mr. Bradford, farmer, of Satwell, near Wallingford, muſt have effectually removed them.

To J. S. GIRDLER, Eſq.

Satwell, near *Wallingford*,
Auguſt 27th, 1795.

SIR,

Seeing an advertiſement in the Reading Paper, relating to Foreſtalling, Ingroſſing, &c. I could not overlook the under-mentioned tranſaction, without communicating it to you.

A Mr. S******, of Benſſington, in Oxfordſhire, maltſter and farmer, has bought of Mr. H***** of Roke, near Benſſington, eleven acres and upwards of wheat as growing on the land, together with the ſtraw, which wheat is now cut, and carried to the ſaid Mr. S******'s barns, &c. I yeſterday ſaw the money paid for it, and wrote the receipt between the parties, acknowledging the payment and receipt thereof. I viewed it as an iniquitous mode of doing buſineſs, and could not forbear communicating it to you, and am ready to come

forward to prove the fact, at any time, ſhould I be called on.

A line addreſſed as above at poſt-office, Wallingford, will come ſafe to hand.

I am, Sir,

Your obedient humble Servant,

SAMUEL BRADFORD.

It is an act of juſtice the Author owes to Mr. Bradford, to obſerve here, that he not only diſclaimed all pretenſions to the reward offered in the foregoing advertiſement; but, in a ſecond letter, declared his intention of proſecuting the offender himſelf, *ſolely* for the public good, and nothing would certainly have deterred him from his laudable purpoſes, but the conſideration of the *heavy expence* attendant on ſuch a proſecution:—an inſtance which ſhews how much the exiſting law againſt ſuch offenders requires amendment.

So common, indeed, was the practice of buying corn growing on the land, and ſo little did the parties concerned dream of its illegality, that a baker, who lived in the neighbourhood of the Author's country reſidence, called at his houſe, and informed him, that he had actually bargained for ſome acres of wheat; but that, alarmed at his advertiſement, he had declined making good the purchaſe, until he had conſulted him on the ſubject. When told, that ſuch a practice was illegal, and ſeverely puniſhable by law:—he expreſſed the greateſt aſtoniſhment, by declaring, that the people in general muſt then be

totally ignorant of ſuch a Law; as nothing had been more common, for many years, than buying and ſelling all ſorts of Grain, Roots, and Vegetables, while growing on the land.

The Author being applied to, reſpecting the following Advertiſement, publiſhed in the Reading Mercury, gave it as his opinion that the undernamed perſons were liable to be indicted for a combination.

To *Farmers*, *Mealmen*, and Others.

Notice is hereby given, that a Market for the purpoſe of buying and ſelling of different kinds of Grain, (by ſample) will be held at London Black-Water, Hants, on Wedneſday the 14th day of October inſtant, and on the ſucceeding Wedneſday in every week, at twelve o'clock at noon.

We, whoſe names are hereunto ſubſcribed, being buyers of different kinds of Grain, do agree to meet as above for the purpoſe of buying ſuch kinds of Grain as we reſpectively deal in.

J. Burgeſs,
Thomas Ballchild, Miller,
Geo. Marſhall, Miller,
E. Strange and *N. Williams, Innholders*,
W. Dunning, Innholder,
M. Cook, Innholder,
William Curby, Innholder,
Thomas Grinham, Maltſter,
G. Newby, Dealer,
John Draper, Dealer,
William Terry,
Wm. Cave, Maltſter,
John Ellis, Maltſter.

White Swan, Black Water, Oct. 6, 1795.

To J. S. Girdler, Eſq.

Dear Sir,

As you have done me the honour of aſking my opinion concerning the price of Grain, which is very

exorbitant, I will give it you as far as my judgment will enable me. I think that the late harveſt has been very productive, and the cauſe of ſuch an high price is merely an artificial ſcarcity; I draw my obſervation from this circumſtance,—I was in a market ſome little time ſince and there was a great deal of Grain brought to it, and ſome Farmers retired from the market with their Grain, becauſe they could not get the price which the inhabitants thought enormous.

Believe me to be,

King's College, Cambridge, Yours, &c.

11th Nov. 1795. B. LUXMORE.

The following Letter, received by the Author, fully proves there being an abundance of Grain in the Nation at this time, when a great ſcarcity was pretended to exiſt.

To J. S. GRDLER, Eſq.

SIR,

"I write, agreeable to your requeſt, to ſay with truth, I have attended the Turnpike-gate at Maidenhead theſe twenty years, and William Medden theſe thirty years; George Robinſon has alſo attended the ſame Gate for fourteen years; and James Dennes not quite ſo long; we all can declare we have never ſeen ſo much Wheat carried through the Turnpike-gate as within theſe laſt five or ſix months.

I remain, Sir,

Maidenhead Bridge, With due reſpect,

January 20, 1796. J. SPRATLEY.

*** To a ſimilar effect a great number of affidavits were made, ſome of which were ſent into the hands of Government, and ſeveral, with other papers, were given to the late Mr. Lechmere.

The two following LETTERS *were ſent to the Author.*

SIR, *Marlborough, Jan.* 17, 1796.

I take the liberty of addreſſing this to you, as a thought has occurred, that in all ſea ports if the ſhipping that are outward bound were to be inſpected by the order of proper officers, and likewiſe all goods lodged in Cuſtom-houſes were to be examined, it would certainly be a means of preventing great quantities of grain being ſhipped off under many diſguiſes;—and when offenders are detected, let them be puniſhed by one year's impriſonment. Many loads of wheat and flour go through this place weekly, where it is conveyed into private hands, to be exported from Briſtol.—A hint, and a word to the wiſe.

Old England's Well-Wiſher,

And your very humble Servant.

SIR, *Marlborough, Feb.* 4, 1796.

I cannot withhold my pen once more from informing you of the grievance and diabolical proceeding that ſtill is carried on in this place, by the loads of grain that go through day and night unnoticed by Magiſtrate, or any one that ſhould endeavour to put a ſtop to the evil. I am of no conſequence, or I would do it for the general good—the poor in particular, who are ſtarving for want of bread! I make all the inquiry, when I ſee the waggons paſs and many ſay, they are going to Meſſrs. ———,

that live at ———, the Bath and Briſtol Roads, four miles from hence; and one ———, that lives at ———, ———, that go about to the farmers, and buy it up, and order it to be ſent to theſe people for exportation, and ſome for the diſtillers, they tell me. As you are a Gentleman of conſequence, if you would give yourſelf the trouble of threatening them by letter, I think that might be a check upon them, as the conſequences of a diſcovery may frighten them. Seeing many of your addreſſes, I know that you are a Gentleman that feels for the diſtreſſes of the poor, and wiſh to remedy the growing evils.

I am,

SIR,

Your very humble Servant,

A Well-Wiſher to Old England.

Note. From the perſonal reference made in this letter, the Author would certainly have ſuppreſſed it had not its general contents tended ſo clearly to prove that the iniquity, wiſhed now to be remedied, was not, even when this letter was written, confined in its limitation.

The writer of the above letters is not unknown to the Author; his ſignature, by deſire, has been omitted, leſt his perſonal ſafety ſhould be endangered; and for the ſame reaſon the names of the other parties have not been inſerted.

Without adverting to particular ſhips, it has been diſcovered, that even Maſters of *Revenue cutters* have been guilty of impoſitions upon Government. It is well known, they do not often employ more than half the hands they are paid for, and ſeldom ſtir out of harbour; but can occaſionally connive at the practice of carrying Wheat and Flour out of the kingdom. The particulars of a diſcovery of this ſort were lately communicated to Government, reſpecting different occurrences, of this flagitious nature, ſaid to have taken place at the Iſle of Wight, &c.

The following Hand-bill, with other methods the Author adopted to obtain the names of the principal Corn-dealers throughout the Kingdom, were the only cauſes, he apprehends, of his receiving the annexed threatening Letter before alluded to.

"Theſe are to certify, that whereas a report having been induſtriouſly circulated, by deſigning men, that Wheat and Flour had riſen conſiderably on Monday laſt, in Mark-lane, the following is an accurate account:—That Wheat was 68s. 1¼d. per quarter, and Flour ſold from 48s. to 60s. per ſack. The average price being taken at 54s. per ſack, the Lord Mayor ordered

	s.	*d.*
The Peck Loaf to be ſold for	3	3
Half Peck, - - -	1	7½
Quartern, - - -	0	9¼

"The above ſtatement is meant to give a ſeaſonable *check* to particular individuals, notwithſtanding the *unfair* manœuvres *practiſed* by *many* perſons to *raiſe* the price of Wheat in the different markets throughout England.

"J. S. GIRDLER.

"*Hare-Hatch, April 20th*, 1796."

Copy of the threatening anonymous Letter, received by Mr. GIRDLER, on the 5th of May 1796, addreſſed to him, and coming through the General Poſt Office, alluded to in page 210.—

"God dam you cannot you keape at Harehatch "and be damd to you without coming to Mark-lane

" but we ſee you ar determined to ruine us quite
" We no you are an enemy to Farmers, Millers,
" Mealmen and Bakers and our Trade if it had not
" bene for me and another you you ſon of a bitch
" you wold have bene murdurd long ago by offering
" your blaſted rewards and preewenting Our Trade
" God dam you and blaſt you you ſhal never live to
" ſee another harveſt you have been the Cauze of
" Muſter Battams being fined two hundred pones
" by Marquez Buckingham God dam him but wee
" thout Muſter Jemmet buſineſs wold have bene
" ſickened you quite by peyin tweenty pones for five
" ſhillings if hee had not bene weele known to
" Muſter Coper Muſter Mare and Muſter Brodſhere
" at Henley you wold heve hade him God dam you
" in Weſtminſter haule befor the dam Guges but
" theye wold not let let you if i had bene Jemmet i
" wold heve murdurd the informers but he lick one
" of theme weele your blaſted hand bills at Reeding
" on Saturday has preevented us gettin what we heve
" a rite to and your God dam blaſted long letter
" in Reeding Paper in Janary laſt has cawzed other
" perſons to offer rewards to ſtop Our Trade we ſee
" Muſter Printer will not put anee thing in the pa-
" per againſt you God blaſt him and you our flour
" lyin by and ſpoylin becauſe you heve preevented
" us getting a gude priſe for it without looſin by it
" God blaſt your eyes you ar ſetting government on
" us to waree us like a pac of houns the next time
" wee catch you in our quarter of the world travellen
" and gettin the names of the Monopoliars as you

" call theme you ſhall by God be ſhot and you may " deepend your houſe ſhall bee burnt down before " long ſo God blaſt to eternity and fere death."

*** *Part of the original Letter was omitted in the Gazette (when it appeared in May* 1796*) out of delicacy and reſpect, we preſume, to ſome very worthy characters which it involved,—actuated by ſimilar motives, we have merely inſerted here what appeared in that State Paper.*

To J. S. GIRDLER, Eſq. *of Hare-Hatch.*

Feb. 29, 1796.

SIR,

Hearing that you was gone to London, I have taken the liberty to acquaint you of a clandeſtine traffic that is carried on at ſeveral places near London, particularly Slough, Hounſlow, and Knightſbridge,* relative to the neat cattle which go up the road for the London Market, great numbers of which are generally diſpoſed of at the above places, to the injury of the public.

I have the pleaſure of being perſonally known to you, but muſt beg you to excuſe my ſignature on this occaſion, leſt my perſonal ſafety ſhould be endangered by ſuch a diſcloſure.

I am, Sir,

Your humble Servant,

Feb. 23*d*, 1796. W. E.

* The Author is informed, it has been a cuſtom for the City of London to receive toll for all cattle brought to Knightſbridge:—If ſo, a query ariſes how far their claim may be legal.

Copy of a Paragraph, which appeared in the Reading Mercury, July 4th, 1796 :—

"Mr. GIRDLER, with ſubmiſſion, wiſhes to recommend to the Grand Juries at the approaching ſummer aſſizes, for Berkſhire, and other counties in England, to take into their mature deliberation the cauſes of the preſent high price of proviſions, and report their ſentiments thereon to the Judges, for their opinion and advice on the ſubject. He has no doubt, by theſe means, great advantages would be derived, and the public in general much benefited."

The Author is not vain enough to think, that this paragraph gave birth to Lord Kenyon's charge, (of which the following is an abſtract); but it is matter of ſatisfaction to him, that his ſentiments on this ſubject were ſanctioned by his Lordſhip.

Extract of a Charge, delivered by Lord Kenyon, to the Grand Jury of Shrewſbury, at the ſummer aſſizes, in 1796 :

"Gentlemen," ſaid his Lordſhip, "ſince I have "been in this place, a report has been handed to "me, without any foundation I ſincerely hope, that "a ſet of private individuals are plundering at the "expence of public happineſs, by endeavouring in "this county, this utmoſt abundant county, to pur-"chaſe the grain now growing upon the ſoil!—For "the ſake of common humanity, I truſt it is untrue: "Gentlemen, you ought to be the champions "againſt this hydra-headed monſter. It is your duty, "as Juſtices, to ſee juſtice done to the country!

" In your reſpective diſtricts, as watchmen, be on " your guard."

The following Letter was addreſſed to the Lord Chancellor by the Author, in Auguſt, 1796 :—

My Lord,

The humanity of your Lordſhip's character—your attention to public buſineſs—the known moderation of your Lordſhip's ſentiments—together with your Lordſhip's not having diſcouraged my application to you in public concerns, have induced me to recommend with ſubmiſſion to your Lordſhip's conſideration, whether the preſent ſeaſon of plenty does not call aloud on all the inhabitants of this happy kingdom, to return their grateful thanks to Providence; and I doubt not but the Clergy will, in their ſtations, (particularly thoſe in the county of Berks, where I reſide) publicly, as well as privately, offer up the thankſgivings of the people on the occaſion.

I am,
With the greateſt Reſpect,
My Lord,
Your Lordſhip's moſt obedient
And Devoted Servant,
J. S. Girdler.

Hare Hatch, Maidenhead,
23*d Auguſt*, 1796.

In the following October (1796), the annexed form of prayer of Thankſgiving to Almighty God, was directed by his Majeſty's Privy Council, to be

read in every church, &c. throughout the kingdom :—

"O Almighty Lord God! wonderful in operation, infinite in wiſdom, power, and goodneſs; terrible in thy judgments, but abundant in loving-kindneſs and mercy: thou turneſt the fruitful land into barrenneſs, for the wickedneſs of them that dwell therein; and, again, thou commandeſt the waters to ſpring in the dry ground, and the valleys to ſtand thick with corn. We, thine unworthy ſervants, the people of this ſinful nation, offer unto thee our praiſes and thankſgivings, for that thou haſt vouchſafed to remove far from us the fear of dearth and famine; cauſing, by thy bleſſing, the fields, which we had ſown, to yield plenteouſly their various fruits of increaſe; and, in thy goodneſs, ſo ordering the ſeaſons, that we have joyfully reaped, and gathered into our barns. Not unto us, O Lord, not unto us, but to thy name be the praiſe. We acknowledge that we had merited the ſeverity of thy wrath; but thou in judgment thinkeſt upon mercy, and wouldeſt not the death of a ſinner, but that ſinners turn from their evil ways, and live. Give us grace, O Lord, to employ the gifts of thy bounty to thy glory; neither ſquandering them in riot and luxury, nor hoarding them for greedineſs of ſordid gain; but grant, that with hearts full of thankfulneſs to thee, the Giver of all good, we may uſe them with temperance, for the ſupply of our wants, and diſpenſe them with liberality, for the relief and comfort of the poor. And make us ever to be mindful, that

as man's life conſiſteth not in the abundance of the things that he poſſeſſeth, and that he liveth not by bread alone, but by every word that proceedeth out of the mouth of thee his God; that ſo, while we pray daily unto thee, as thou haſt commanded, for the periſhable meat of the preſent world, we ceaſe not to labour more earneſtly for that which endureth unto everlaſting life, which thou haſt given us by thy Son JESUS CHRIST, our Lord: to whom, with the Father and the Holy Ghoſt, be all honour and glory, world without end. Amen."

Few men who have marked the character of recent times, will doubt that the price of markets is the reſult of colluſion and combination amongſt *Dealers*, *Jobbers*, and *Badgers*. The practice was common even in 1796, which may be ſeen by the following authenticated caſe publiſhed in the Reading Mercury and other papers, and which happened at Wincheſter in the month of April in that year.

"Mr. Peter Wooldridge, a Miller and Mealman, was fined, by the Mayor and Magiſtrates of Wincheſter, for neglecting to deliver a declaration that he would return a juſt account of the Corn he ſhould buy, *two pounds*;—for neglecting to make a *due* return, *ten pounds*;—and for delivering a falſe return, *ten pounds*;"—by which falſe return the Magiſtrates *were compelled* to *ſet* the Aſſize of Bread at 2s. 1d. inſtead of 1s. 6d. the half peck. To the publication of this conviction was annexed the following Adverti-ſement:—

" The Magiſtrates of Wincheſter have offered a reward of 20l. for information of any Dairy-man, Higler, Butcher, or other perſons, detected in ſelling or buying any commodities before the market hour, or of Foreſtalling, Ingroſſing, or Regrating. The Mayor having reaſon to believe, that there is a combination of Millers and Mealmen, who meet regularly every Saturday, *to keep up the price of Flour and Meal,* has further offered a reward of twenty guineas* to any informer on conviction of the parties."

That the Mayor of Wincheſter's information in this caſe was tolerably correct the following circumſtance ſufficiently demonſtrates :—

A few days after the publication of the above Advertiſement, informations were lodged againſt three perſons of conſiderable conſequence in the Corn-trade, for illegal practices in order to keep up the price of Wheat ; and a certain well-known perſon was immediately indicted for attempting to raiſe the price of proviſions, by propoſing to the other dealers to join him in a bond of 10l. to keep from Wincheſter market for one month.

The following declaration of the Bakers of Glouceſter, made at a public Meeting held in that City in February 1796, at which the Mayor was preſent, will ſhow the ſhameful advantages, which, during the laſt ſeaſon of ſcarcity, 1795 and 1796, were taken of the public, by Foreſtallers, Regrators, and Ingroſſers.

* See Advertiſement for eſtabliſhing a Corn Market, p. 291

" That it is the opinion of this meeting that there *does not exiſt any ſcarcity of Wheat in this County,* and this aſſertion they conceive they are juſtified in making from the very conſiderable quantities of *old Wheat* that have been recently offered to ſeveral of them, but which they could not purchaſe from the very exorbitant price demanded.

" That we are well aſſured that *Wheat* is withheld from the markets, on account of the *Badgers* and *Jobbers* in *Corn* making it a common practice to call at Farm-houſes, and who, being mere ſpeculators, are often induced to offer and give *prices* that have a very pernicious effect upon the fair markets."

In July 1796, the Author received farther information in a Letter from a perſon at Marlborongh, of different Corn-jobbers who hadbeen round the country amongſt the farmers and bought up immenſe quantities; that waggon loads were continually paſſing through that place, in their way to Overton, where the purchaſers reſided. By minute inquiry, he not only found this information to be ſtrictly true, but alſo diſcovered that theſe Jobbers, ſome how or other, made ſhift to export large quantities of ſuch Corn from Briſtol.

Theſe practices imperiouſly call for the adoption of proper perſons, (as ſuggeſted in the letter from Marlborough of Jan. 17, 1796, p. 293,) to be employed in inſpecting all ſhips outward-bound, and alſo of Cuſtom-houſe Officers being careful to examine every article ſent on board ſuch ſhips.

The following Paragraphs appeared in the Reading Mercury in April 1796.

"In conſequence of the Mayor of Baſingſtoke having *fixed the aſſize and price of Bread*, we wiſh to aſk, what reaſon can be aſſigned why the Mayor of Reading does not, or ſhould not, alſo fix the aſſize for that town?

"There never was a time which called more loudly than the preſent for the fulleſt exerciſe of the ſalutary power, with which the Legiſlature, in its wiſdom, has thought fit to inveſt the Chief Magiſtrates of Corporate Towns. It would, however, be injuſtice to the worthy Chief Magiſtrate of this place, (Reading) to charge him with ſupineneſs or inattention to the concerns of the public in ſo material a point.—But the inhabitants of this Borough ſurely have a right to inquire, why they are an exception to the general rule in this inſtance? and why they ſhould be left at the mercy of a confederacy, whoſe ſole object is ſelf-enrichment at the expence of ſociety in general?"

"In your laſt paper you inform us that the Mayor of Baſingſtoke fixed the aſſize and price of Bread: the half peck loaf to be ſold there for 1s. 2½d. on Wedneſday the 13th inſtant, at which time the inhabitants of this town (Reading) were paying for Bread of the ſame weight and quality, the diſproportionate price of 1s. 9d. making *only the trifling difference of ſixpence halfpenny* in the half peck or gallon loaf!

" On referring to your paper of the 11th inſtant it appears, from the returns of the price of Grain at the two markets, that Wheat was then dearer at Baſingſtoke by one ſhilling and three farthings the buſhel than in this town.—The average was as follows :—

	Per Quarter.	Per Buſhel.
Baſingſtoke	77s. 6d.	9s. 8¼d.
Reading -	69s. 0d.	8s. 7½d.
Difference	8s. 6d.	1s. 0¼d."

It is not intended by the re-publication of the preceding paragraphs, to caſt the moſt diſtant reflection on the very reſpectable gentleman who filled the Magiſterial chair for Reading at that time ; but, as the queſtion has never been ſatisfactorily ſolved, the Author thinks his ſtating here the reaſon why the above Magiſtrate omitted fixing the Aſſize as wiſhed by the Bakers, may prevent the repetition of ſuch occurrences in future, as it appears there are at this time other places in the kingdom in a ſimilar ſituation. The reaſon aſſigned for the alluded to omiſſion of the Chief Magiſtrate originated in the moſt laudable motive, viz. his conceiving a compliance with the Bakers' requeſt would tend to make the diſparity of prices ſtill greater, and conſequently militate much more againſt the intereſt of the inhabitants of Reading.

RECAPITULATORY OBSERVATIONS.

Introductory Reflections.—Additional Authorities in ſupport of the Author's propoſition, that this Country grows a ſufficient quantity of Grain for the ſupply of its inhabitants.—Table of Exports of Grain for Sixty-ſeven Years.—Scarcity.—Liſt of the Laws relative to Grain.—Monopoliſts cauſe of the high price of Proviſions.—Impolicy of the Conſolidation of ſmall Farms.—Extract from Mr. Shaw's Sketches of the Auſtrian Netherlands in 1786.*—Inutility of Bounties.—Smithfield Market.—Saleſmen, Carcaſe and Cutting Butchers.—Coals.—Hay.—Convictions of Ingroſſers.—Charges of the Judges to the Grand Juries.—Laudable Reſolutions of the Country Gentlemen.—Propoſitions, Reflections,* &c.

WHEN I ſat down to communicate my thoughts to the Public on the preſent high price of proviſions, &c. it was not my intention to have extended this Publication beyond a few ſheets, but as I advanced the matter grew upon me.—"It is the duty," ſays a ſenſible writer,* "of every one who wiſhes well to his country to ſuggeſt all reaſonable methods by which the preſent exorbitancy of the price of Grain may be corrected, and the deſtructive

* Mr. *Harris.*

conſequence of a backward ſeaſon or bad crop may be prevented." In order to trace this growing evil, if poſſible, through all its ramifications, I was unwilling to truſt to myſelf, I called in the aid of two guides, *experience* and *fact*; the firſt ſtep was the moſt arduous, as it required an uncommon degree of inquiry and circumſpection, namely, to arrive at the truth of that queſtion, whether this country, on an average, growed a ſufficient quantity of Grain for its own conſumption? and I am happy to aſſert, after the moſt minute inquiry, that it actually does, and often a redundancy for exportation; (See Chap. VI.); as a proof of this aſſertion, I ſhall now lay the following Table before the reader, which was preſented to the Houſe of Commons in 1764.

An ACCOUNT *of the Quantity of* CORN *exported from* ENGLAND *from Michaelmas* 1697 *to Chriſtmas* 1764; *diſtinguiſhing each Year.**

Years.	Wheat. Qrs.	Barley. Qrs.
1697	14,698	32,855
1698	6,857	30,984
1699	557	75
1700	49,056	25,896
1701	98,323	21,953
1702	90,230	16,280
1703	106,615	71,523
1704	90,313	30,729

Years.	Wheat. Qrs.	Barley. Qrs.
1705	96,185	21,386
1706	188,332	10,221
1707	74,155	4,771
1708	83,406	29,937
1709	169,679	40,512
1710	13,924	5,744
1711	76,949	8,412
1712	145,191	19,383
1713	176,227	52,542
1714	174,821	18,579
1715	169,490	5,080
1716	74,926	14,857
1717	22,953	18,435
1718	71,800	74,139
1719	127,762	9,649
1720	83,084	4,505
1721	81,632	11,608
1722	178,880	37,528
1723	157,719	45,789
1724	245,864	10,289
1725	204,413	13,782
1726	142,183	20,017
1727	30,315	8,688
1728	3,817	198
1729	18,993	4,650
1730	93,970	14,982
1731	130,025	13,562
1732	202,058	13,874
1733	427,199	37,598
1734	498,196	70,224

Years.	Wheat. Qrs.	Barley. Qrs.
1735	153,343	57,520
1736	118,170	6,860
1737	461,602	23,669
1738	580,596	70,689
1739	279,542	54,447
1740	54,390	24,036
1741	45,416	6,614
1742	293,250	11,482
1743	371,431	34,995
1744	231,984	20,090
1745	324,839	95,878
1746	130,646	158,719
1747	266,906	103,140
1748	543,387	73,857
1749	629,049	52,621
1750	947,602	224,500
1751	661,416	32,698
1752	429,279	106,331
1753	299,608	67,049
1754	256,270	47,776
1755	237,459	32,836
1756	101,936	26,938
1757	11,226	7,094
1758	9,233	691,010
1759	226,426	22,862
1760	390,710	54,592
1761	440,746	97,897
1762	294,500	130,873
1763	427,074	38,390
1764	396,537	9,218

In relation to this ſubject alſo, we have the following ſenſible converſation in a paper called the HUMANIST, No. III. dated April 9, 1757. Signior *Guaſtaldi*, when miniſter here from the Republic of *Genoa*, being aſked "whether, in his country, *public* granaries had not been found to be of ſervice?" replied, "At *Genoa* there was no doing without them, and that the ſtate had always *ſeven years' proviſions before-hand*; but, ſaid he, in your *Iſland* it is quite different, for you annually grow more than you eat; and if I am not miſinformed, it is hardly one year in twenty that the produce of the earth is not fully ſufficient for the conſumption of it."—Theſe are the ſentiments of an intelligent foreigner, who devoted no inconſiderable portion of his time to inquiries of this nature, whilſt he remained in this country.* —It is true, what Sir *Thomas Culpeper*, in 1621, ſpeaking of England, ſays, "At preſent, whilſt corn and other merchandizes, which the earth produces, are at a low price, the ſpade and the plough are forſaken; the poor find little employment, and the wages are extremely low;" but ſurely this is not the caſe at preſent, nor for many years paſt, for ſuch is, and has been the attention paid to tillage that Mr. Pitt, on opening the Ways and Means o. the year 1789, congratulated the Houſe and the

* Mr. *Howel*, clerk of the Counſel, in a letter from *Rouen*, dated September 7th, 1619, ſays,—"'Tis true, England hath a good repute abroad for her fertility, yet, be our (the French) harveſts never ſo kindly, and our crops never ſo plentiful, *we have every year ſome grain from Old England.*"

Country on the rapid progreſs of Agriculture, which had been carried to that extent, that, he ſaid, he hoped, in the courſe of a few years, the plough-ſhare would ſhine on the top of the then barren mountains.

As bread figuratively is called the ſtaff of life, being the ſupport of old and young, I thought it would be neceſſary to enter more at large into that ſubject. All civilized and well regulated nations have paid the utmoſt attention to the growth, importation of corn, &c. and its preſervation for uſe or ſale, as well as the preparation of it for food, by grinding and baking. All that can be reaſonably expected from the united wiſdom of the Legiſlature, with reſpect to grain, is to frame ſuch laws as will prevent corn from being at any time, either ſo dear that the poor cannot ſubſiſt, or ſo cheap that the farmer cannot live by growing it.—This is the GOLDEN MEAN in which our anceſtors ſteered for many ages. In almoſt every one of the old ſtatutes, which attempt any regulations in the corn trade, this maxim was uniformly acted upon; ſo that, whilſt they ſedulouſly guarded againſt any thing which might tend to diſtreſs the poor, they took care that tillage ſhould not be diſcouraged:—but thoſe were the happy days in which ſmall farms were in faſhion. Many acts were wiſely paſſed for the regulation of Corn in different reigns, as may be ſeen in the following liſt, which I have drawn up, that the reader may have the whole at one view.

LIST OF THE STATUTES RELATIVE TO CORN.

Year.	Kings.	Cap.	General Purport.
1534	25 Hen. VIII.	2,	—Regulating the price of Victuals.
1552	5 and 6 Ed. VI.	14,	—Againſt *Ingroſſers*, &c.
1553	1 & 2 P. & M.	5,	—Allowing exportation of Wheat till 6s. 8d. per quarter, and other Grain at proportionate fixed prices.
1562	5 Eliz.	12,	—Alters 5 and 6 Edw. VI. in regard to buyers.
1570	13 Eliz.	13,	—Regulates exportation, &c.
1604	2 Jam. I.	13,	—The ſame.
1623	21 Jam. I.	28,	—The ſame, and alters 5 and 6 Edw. VI. ſtill more.
1627	3 Cha. I.	4,	—Nearly a repetition of the laſt, and allows exports to 32 ſhillings.
1660	12 Cha. II.	4,	—Relates to export, and allows it to 40 ſhillings.
1663	15 Cha. II.	7,	—The ſame, and alters or ſuſpends 5 and 6 Edw. VI. till Wheat 48 ſhillings, to which it allows export
1670	22 Cha. II.	13,	—Allows export 53 ſhillings and 4 pence, after paying cuſtoms, &c.
1685	1 Jam. II.	19,	—Regulates the manner of aſcertaining the prices according to which cuſtom on the importation is to be paid.
1688	1 W. & M.	12,	—Gives bounty and repeals cuſtom on export to 48 ſhillings.
1698	10 W. III.	3,	—From February 10 no export for one year.
1699	11 W. III.	3,	—From February 19 no bounty for nearly nine months.

1700	11 & 12 W. III.	20,—No cuſtom on export.
1706	5 Anne,	29,—Gives bounty on Oatmeal and Wheat Malt.
1709	8 Anne,	2,—No export for one year.
1729	2 Geo. II.	18,—Relates to importation.
1732	5 Geo. II.	12,—The ſame, and amends 1 Jam. II. c. 19.
1738	1 Geo. II.	22,—Made felony to hinder exportation.
1740	4 Geo. II.	3,—No export for one year.
1741	5 Geo. II.	35,—No export for one year.
1757	30 Geo. II.	3,—No export till 25th of December 1757.
....	.....	7,—Import allowed till Auguſt 24th 1757, duty free.
....	31 Geo. II.	1,—No export till 24th December 1758.
1759	32 Geo. II.	2,—No export till 24th December, 1759, but ſubject to alteration.
....	.....	8,—Repealed after 25th March 1759.
1765	5 Geo. III.	31,—No bounty on export or duty on import of Wheat, &c. for a limited time.
1765	5 Geo. III.	32,—The King and Council may prohibit the export of Wheat, &c. during next receſs of Parliament.
1766	6 Geo. III.	3,—Wheat may be imported from America, duty free, for a limited time.
....	.....	4,—Importation of Oats and Oatmeal, duty free, ditto.
....	.....	5,—Export of Wheat prohibited,* ditto.

* See page 224.

It may be aſked then, whence does the evil we are now complaining of ariſe? The anſwer is at hand—from the rapacity of Foreſtallers, &c. who have reduced Monopoly to a ſyſtem.—I have ſaid ſo much on this ſubject already, that any repetition may appear needleſs; but I cannot reſtrain my indignation, when I think that the public ſhould be preyed upon by a ſet of harpies, *who drink the tears of the labouring poor out of cups of ſilver,* and who avert the bleſſings of Heaven to the worſt of purpoſes.* *Medicinæ tempus eſt, non querelæ.* What does the Recorder of Dublin ſay, in his Charge to the Grand Jury of that City, on the 16th of September, 1800?—

"I know of no offence," ſays he, "which calls more loudly for general inveſtigation, and for exemplary puniſhment, than Foreſtalling.—Its miſchievous operation is unbounded and univerſal;—it is not a crime, which has for its object the injury of a ſingle individual, or even of a ſingle claſs or deſcription of perſons in the community—it reaches every order of the ſtate, and embraces at once the rich and the poor, the humble and the exalted. A crime of ſuch magnitude ought, at all times, to be narrowly watched, and rigorouſly puniſhed.—"You, Gentlemen of the Grand Jury," added he, "are particularly called

* Queen Eliz. in 1596, publiſhed a Proclamation, in conſequence of a ſudden riſe in the Price of Proviſions, in which are theſe words;—"Her Majeſty doth impute the fault thereof to the covetous diſpoſition of the Ingroſſers of Corn, that ſeek all exceſſive and ungodly lucre, by hoarding up of Corn;" and James I, in a Proclamation on an extraordinary advance in the price of Grain, in 1608, aſcribes the ſame to the avaricious hoarders of Grain. See Proclamation of his preſent Majeſty in 1766, p. 223.

upon to come forward on this important occaſion;—you are not bound to wait the formality of a written accuſation. The ſolemn oath which you have taken enjoins you to leave nothing *preſentable, unpreſented*; humanity, your duty, your private intereſt, the public good, impoſe upon you the taſk (and, under theſe circumſtances, I am perſuaded it will be a grateful one) of viſiting, with care and diligence, the public markets of this Metropolis; and if you ſhall diſcover any perſons guilty of Foreſtalling, in any of its branches, under the broad common law deſcription of the offence, you will exerciſe the powers the conſtitution has inveſted you with, and preſent the offenders accordingly, whatever may be their rank or ſituation in the community."

The diabolical practices now purſued in the Corn Trade, beggar all deſcription: the recital, however, of the following tranſaction, which lately took place, will evince in ſome degree to what length iniquity may be carried:—a well-known perſon, in the Corn Line, having a vaſt quantity by him, was about to bring it to market at a time when it was lowering, he was met by ſome of his worthy brethren (who are capital dealers); and when they were appriſed, that it was neceſſity which occaſioned him to ſell, as he wanted to make up a *few thouſand pounds*, theſe *good* and *meritorious* men ſaid, ſurely you would not ſell in theſe times *at a loſs!* we will advance the money for you, which was accordingly done.

I have ſtated at full length the common law of

the land, and ſuch ſections of the Statute Law as remain unrepealed againſt the crime of Foreſtalling in Grain, &c. (See Chap. XVII.) In order to ſhew the weapons that our anceſtors put into the hands of the Magiſtrates, to guard and defend the public ſtore againſt the arts and machinations of thoſe that "feel only for themſelves," and ſtill farther, to ſhew the neceſſity of new laws, and new regulations, to repair thoſe breaches in the proviſion acts, which were made by the repeal of the 12th of George III. or, at leaſt, that the ſaid act ſhould be repealed itſelf, which now appears to be the general ſenſe of the intelligent, humane, and diſintereſted part of the nation.

With reſpect to the impolicy of the conſolidation of ſmall farms, I have the beſt writers on my ſide; nay, what is more, I have experience on my ſide.—"Experience," as Mr. Burke ſays, "rich with the hoar of time." Columela, upwards of two thouſand years ago, aſcribed the decline and ultimate fall of Italy to this practice—*Latifundia perdidere Italiam.*

It appears, from the remarks of a perſon who has not been inattentive to what is paſſing in his day,* that, within the laſt forty years, upwards of 40,000 ſmall farms have been conſolidated into large ones:—this is carrying Monopoly with a vengeance to the very ſoil, deſtined by GOD and Nature for the ſuſtenance of man.

As to the incloſure of commons, I have delivered my ſentiments on this head in the Fifth

* Mr. T. Wright.

Chapter:—how pathetically does Goldſmith lament the progreſs of this meaſure:—

" Where then, ah! where ſhall poverty reſide,
To 'ſcape the preſſure of contiguous pride?
If to ſome common's fenceleſs limits ſtray'd,
He drives his flock to pick the ſcanty blade,
Thoſe fenceleſs fields the ſons of wealth divide,
And e'en the bare-worn common is deny'd."

It has been obſerved by one of your old faſhioned economical writers,* in an addreſs to the Dublin Society, in 1754, that if the plough was baniſhed out of all the reſt of Europe, it would meet with a ready reception in *Brabant*, which Hartlib calls the *native* country of Agriculture, and why is it ſo called, why is it found to be ſo, even in the midſt of the ravages of war? becauſe it is diſtributed into ſmall farms;—even the idea of a large one has not travelled that far;—the writings of Sir John Sinclair have not yet been tranſlated into the Flemiſh language; and if they were, they would find but few advocates in a land that has experienced the beneficial effects of moderate ſized farms;—a land where Amalthea may be ſaid to have poured all her ſtores, but I do not want the reader to take all this on my word:—the following extract from "Sketches of the Hiſtory of the *Auſtrian Netherlands* in 1786," by the ingenious Mr. Shaw, will, it is preſumed, juſtify all that I have ſaid of that country.

" Liberty (he ſays) which firſt animated the induſtry of the huſbandmen in theſe parts ſtill ſuſtains

* Dr. Madden, Senior Fellow of Trinity College, Dublin.

his labours. The preſent Sovereign, (Joſeph II.) by acts that add ſignal luſtre to his reign, ſeeks to promote agriculture in other parts of his wide empire, by the enfranchiſement of the peaſants from that feudal bondage in which they have been long kept by the nobles; a like attention has not been needed in this country, where the peaſant, no leſs than the Lord, poſſeſſes rights that may not be invaded with impunity, and where thoſe feudal ſervitudes that ſtill diſgrace ſome parts of this iſland* have been long unknown. Conſcious of his privileges, the Flemiſh peaſant reſumes his toils, nor repines whilſt the laws ſecure to him his property in that field which he cultivates. The ſeaſon that renews his labours brings alſo along the appointed days of ſport and recreation. A religion more indulgent to her votaries, gladden him with her returning holidays that are accompanied by ſports, games, and exerciſes conſecrated by long uſage. The Herre Meſſe, or feſtival of the Saint who is the patron of the pariſh church, diſſolves all the village in mirth and oblivion of care, and the jocund neighbourhood exhibits thoſe feſtive ſcenes which the pencil of the Flemiſh painter has ſo often ſought to imitate. Reſtored by this remiſſion of toil the huſbandman riſes more vigorous to purſue his taſks, and the year is crowned with plenty by his redoubled activity.

"All the various kinds of grain are cultivated happily in this country; years of ſcarcity that affect other parts of Europe are little known here,

* Alluding, perhaps, to copyhold tenures.

where the crops of ordinary ſeaſons yield a much larger ſtore than the ſubſiſtence of the inhabitants, though numerous, requires, and where the exportation of Grain to other countries leſs fortunate, forms a principal branch of commerce. The flax of Flanders not only ſupplies to that province its chief manufacture, but yields alſo a profitable article of traffic with other nations; many valuable plants, adapted to various uſes, are raiſed with ſucceſs; tobacco may be ranked amongſt theſe plants; legumes and all the tribes of eſculent roots grow in abundance, and have lent to England moſt of her vegetables of that claſs; vines were formerly trained in Flanders and Brabant, but the vine, leſs grateful to the planter's care, has given way to products that are better ſuited to the clime and ſoil, and in which the huſbandman finds a greater advantage.

" Agriculture, whilſt it ſupplies materials to commerce and manufactures, is alſo more permanent than either, and affords a more ſolid baſis of natural proſperity. The manufactures of Louvain have failed, and the trade of Antwerp is fallen, but the fields of Flanders keep a conſtant fertility. Agriculture alſo entertains a race of men temperate, hardy, ſimple, that withſtand the attacks of luxury, and among whom virtue lingers long when corruption has gained the other ranks of the ſtate. Even in the improved ſtate which huſbandry has attained in this iſland, England has ſtill cauſe to make it a reproach to her inhabitants that they have not

enough reſpected agriculture, and that, intent on colonies and foreign poſſeſſions, they have neglected the due improvement of her ſoil, the beſt ſource of wealth. Hence while a defective tillage is found in many places, and while, in other parts, vaſt tracts of ground are yet unſubdued by the plough, her natives have paſſed into foreign climes, where themſelves with their induſtry have been loſt to the parent country, or where, with impaired health, and too often with impaired virtue, they have acquired Indian gold, returning to advance the reign of luxury at home, and extend the corruption of a ſliding age."

If I thought that examples could influence our politicians in favour of ſmall farms, I could adduce many, but, for the preſent, ſhall content myſelf with the following: When the preſent King of *Denmark*, aſcended the throne, the attention of the youthful monarch was directed to the comforts of the peaſantry. This hardy race, particularly in *Jutland*, languiſhed in the bonds of ſlavery, their ſcanty ſubſiſtence depended on taſk-work to the rich proprietors; two thirds of *Jutland* conſiſted of barren commons. The late patriotic Count *Bernſtorff* propoſed, that theſe dreary waſtes ſhould be divided into ſmall farms, from ten to fifteen acres each, and given to the Boors,—his Daniſh Majeſty immediately acceded to the propoſal, which was inſtantly put into execution; the happy reſult of which was, that, in a few years, the whole was converted into arable and paſture land, ſo that the peaſant is now lord of that ſoil in which he formerly

trod as a ſlave.* Joſeph the II. did the ſame in many parts of *Hungary*, which was followed by the ſame happy effects, particularly the unhealthy marſhes of the *Battau*, which he drained at his own expence, and which is now cloathed with verdure: theſe are acts worthy of the patriot and the ſtateſman—theſe are the ſources of population, the real ſtrength of every ſtate, and in which agriculture is exhibited in its native charms and beneficial effects.†

Plan for diminishing the extent of Farms.§

General reflections have long been thrown out on the neceſſity of preventing the monopoly of farms, and of reducing their extent. I will venture to affirm, that more miſery ariſes from this ſingle ſource than from all other cauſes combined. Large farms are unfavourable to agriculture, and unfriendly to the poor; they increaſe the price of

* See Profeſſor Bugge's (a *Dane*) Travels.

† Agriculture was one of the firſt employments of mankind, it is one of the moſt innocent, and at the ſame time, the moſt pleaſing of any. By its variety, it keeps the mind amuſed and in ſpirits; by its exerciſe and regularity it conduces to give vigour and health to the body; and in the end, it is productive of every other neceſſary and convenience of life. For Agriculture is the parent of Commerce; and both together form the great ſources from whence the wants of individuals are ſupplied, and the principal riches and ſtrength of every ſtate flow.

Addreſs from the Agricultural Society of South Carolina.

§ Sent to the Author.

proviſions, and thus cramp manufacture; they facilitate combinations and monopolies, and break a link in that chain of gradation, which is the beauty and the boaſt of the Britiſh Conſtitution.

But their miſchievous conſequences are well known. To apply a remedy is the difficulty. I have hitherto ſeen or heard of none which would combine natural juſtice and civil liberty. What I now ſubmit to the public, will, I truſt, be found to poſſeſs both theſe eſſential requiſites.

Let Farms then of 50l. per annum, pay in the proportion of three-pence in the pound to the poor's rate.

Farms from	50l.	to 100l. per ann.	0s. 6d.	In the pound to the Poor's Rate.
from	100l.	to 150l.	0s. 9d.	
from	150l.	to 200l.	1s. 0d.	
from	200l.	to 250l.	1s. 3d.	
from	250l.	to 300l.	1s. 6d.	
from	300l.	to 350l.	1s. 9d.	
from	350l.	to 400l.	2s. 0d.	
from	400l.	to 450l.	2s. 3d.	
from	450l.	to 500l.	2s. 6d.	

*** No farm of more than 500l. per annum, to be allowed; thus a Farm of 50l. a year will pay to each Poor's Levy, no more than 12s. 6d. while a Farm of 500l. per annum. will be charged to the ſame 62l. 10s.

No one will diſpute that the extent and monopoly of Farms create numerous poor, and increaſe the

rates in proportion. Theſe evils ſhould fall on the authors of them; this is but *natural juſtice*;—and it will be found that the *civil liberty* will be little abridged by this ſcheme, as the extent of Farms may ſtill in a great meaſure be optional.

ADVERTISEMENT *which appeared in the Reading Mercury, July* 1800.

We are ſorry to find at this extreme price * of Wheat, that many PERSONS are found deficient in MEASURE and QUALITY, as ſuch the MEALMEN in this MARKET are determined to PUBLISH the NAMES, in this paper, of all PERSONS who ſhall be found ſo DEFICIENT in future.

Reading, July 5, 1800.

With regard to bounties, I have not wantonly or raſhly delivered my opinion on the ſubject; what I have ſaid, is the reſult of obſervation and cool reflection.

Sir *Thomas Culpeper*, whom I have already quoted, in giving an account of the progreſs of the alterations made in the Engliſh Corn laws, in his celebrated Tract on that ſubject, ſays, "that our Corn trade was eſtabliſhed in paſſing through all the degrees of experience neceſſary to form, with the knowledge of the principles, a permanent plan." †

"Nevertheleſs," he ſays, page 17, "our policy is ſtill imperfect, and hath plain inconveniences,

* At this time Wheat ſold at 164s per quarter. See page 130.

† Sir Thomas wrote this anterior to the repeal of 12th Geo. III.

which cannot be removed as long as the *bounty* ſubſiſts."

I think it is Lord BACON who ſays, that trade ought to be dropt which is obliged to be bolſtered up by bounties. To which I ſhall only add, that *conſumption* is the beſt bounty.

In addition to what I have ſaid on the ſubject of town and country Granaries, (ſee Chap. IX.) perhaps it may not be irrelevant to the matter to introduce the following

Tranſlation of a Letter from the Avoyer *at* Berne, *in Switzerland, relative to the Magazines for Corn and Rice.*

" The people of *Berne* have two ſorts of Magazines, one ſubject to great variations, the other always the ſame. There are of the firſt ſort many in the capital, and many in other parts of the canton, which are filled more or leſs according as the abundance of the harveſt and goodneſs of the grain furniſh an opportunity; for, beſides the fixed revenue which the ſtate hath in fee farm rents, it hath a great quantity of tythes, which are of a very caſual, and very different produce. When there are ſeveral fruitful years in *ſucceſſion*, the granaries of this ſort in the capital become full; but in other parts, if there is an appearance, towards Eaſter, of a good harveſt, the Corn is ſold, which is in the caſtle of the different Bailiwicks, after having paid the ſeveral ſalaries to which they are made liable; and the bailiffs, who have a certain revenue made good to them, account for the ſurplus to the chamber of

œconomy at *Berne*. The magazines of the capital, on the contrary, are never opened and ſold, but in dear times; and then care is *taken not to ſell to any family more than is ſufficient for ſupply*, and always below the market price."*

As it is acknowledged that their ought to be an univerſal ſtandard for all meaſures of capacity throughout the kingdom, which would obviate many inconveniences, and prevent frauds, I here inſert ſo much of the following act as relates to the *Wincheſter* buſhel. (See Chap. X.)

By the 31ſt Geo. III. c. 30, the buſhel by which all Corn ſhall be meaſured and computed for the purpoſes of this Act, ſhall be the *Wincheſter* buſhel, and a quarter ſhall be deemed to conſiſt of *eight* buſhels; and the Juſtices of each county, and the Mayor of ſuch cities or towns as are counties of themſelves, or enjoy exempt juriſdictions, and from which returns are by this Act directed to be made, ſhall cauſe a ſtandard *Wincheſter* buſhel to be provided and kept; and all meaſure ſhall be computed by the ſtricken, and not by the heaped buſhel: And where Corn ſhall be ſold by weight, 57lb. avoirdupois, of Wheat, ſhall be deemed equal to one *Wincheſter* buſhel, and 55lb. of Rye, 48lb. of Barley, 42lb. of Beer or Bigg, and 38lb. of Oats; and further, that 56lb. of Wheat-meal, 45lb. of Wheat-flour, 53lb. of Rye-meal, 48lb. of Barley-meal, 41lb. of Beer or Bigg-meal, and 22lb. of Oat-meal,

* See this Letter, with ſome others on the ſame ſubject, in the *Muſeum Ruſticum*. Vol. II. Number 41.

ſhall be deemed equal to every ſuch buſhel of Corn unground. * And for the more eaſy meaſuring ground Corn in ſacks, the proper officer may make choice of and weigh two ſacks out of any number not exceeding twenty, and ſo in proportion, and thereby compute the quantity of the whole. § 82.

Several bills have been propoſed in the Commons, in the courſe of the laſt ten years, with a laudable view of regulating the ſale of Cattle, &c. in Smithfield Market, and for remedying ſeveral well known abuſes, in bringing the Cattle, &c. into the ſaid market; and notwithſtanding the neceſſity of ſuch bills were urged by very forcible arguments, by ſome fatality or other they fell to the ground. It is but juſtice to the Parliamentary conduct of Mr. Mainwaring, to obſerve (ſee page 160, &c.) that he took a very active part in March 1797, in preſſing the propriety of ſuch a meaſure, and, from his knowledge of the ſubject, we may conclude, that if his opinion had been adopted, we ſhould now feel the benefit of it. (See Chap. XIV.)

Every ſaleſman bringing Beaſts, Cattle, &c. into Smithfield Market, ſhould be appointed by the Lord Mayor and Aldermen of the City of London,

* It has long been the prevailing opinion of many, that Wheat ought to be ſold by *weight* and not by *meaſure*, whilſt others have thought that even this mode would not entirely preclude fraud, as proprietors of Corn might have recourſe to *damping* it to increaſe the weight; not recollecting if this ſhould ever be done, the Corn muſt either be immediately diſpoſed of, or it will be waſted. In ſuch caſe the dealers would be reduced to the alternative of either carrying their Corn without delay to market, or ſuffer it to *rot upon their hands*.

giving ſecurity to the Lord Mayor and Aldermen not to exerciſe the occupation of a *cutting* or *retail butcher*.*

Veal is certainly ſlaughtered *too young*, and ought to be reſtricted to a given period. It is known that there are not more than about four or five carcaſe butchers, who kill near one thouſandCalves weekly.† A greater number than is ſlaughtered by the whole of the cutting butchers in Town, within the ſame time. And to this only is to be attributed the amazing *high* price of that article, evidently occaſioned by monopoly.

And if the ſlaughter of pigs during the ſummer months were prohibited, the exorbitant price of Bacon and Pork, would, in its *proper* ſeaſon, be reduced, and a food ſaid to be truly *unwholeſome* during warm weather, would no longer be expoſed for ſale in the months of June, July, and Auguſt, when great quantities thereof intended for Bacon are *tainted* in the curing.

In the year 1795 the Cutting Butchers waited on Mr. Pitt with a petition againſt Foreſtalling and Regrating, complaining that the *Carcaſe* Butchers were guilty of ſuch practices, to the great injury of the petitioners. Mr. Pitt told them, "they came "*too late* for inquiry then;" and ſaid, that, "from

* Of theſe there are about fifteen or ſixteen ſaleſmen in Smithfield, who make it a practice to carry on the buſineſs of cutting butchers.

† Lambs are likewiſe killed too young;—ſo much for *luxury*.

" what he had learned upon the buſineſs, the *Car-*
" *caſe* Butchers, were a *very uſeful* ſet of people."
When Mr. Pitt declared theſe to be his ſentiments he no doubt had his reaſons for ſo ſaying.

In the year 1795 a very odd circumſtance occurred—two fine beaſts were bought by a butcher; but it turned out, he was only the nominal buyer: for in fact they were the property of a ſaleſman—the beaſts were ſent out of the market without *cutting their tails*; a proof that ſuch unmarked cattle are intended to be brought *again* into the market. For it ſo happened theſe beaſts were ſtolen from Poplar marſhes,* and upon their being ſtopped, and the perſon taken into cuſtody, upon which a diſpute aroſe: the queſtion was, who was the owner? The butcher claimed them, and ſo did the ſaleſman. This diſpute cauſed the matter to be known. The butcher perſiſted in detaining the beaſts, for which the *honeſt* ſaleſman brought an action; the butcher commenced a proſecution againſt the ſaleſman for *Regrating*.

One principal cauſe aſſigned for the dearneſs of butchers' meat is, the luxury of the times: this is a melancholy fact, as there is little hopes of bringing back our tables to the ſimple and frugal days of our

* The Marſhes, and other grounds near London, are held by a few Carcaſe Butchers; and to theſe grounds the cattle, ſheep, &c. purchaſed at Smithfield are brought, and are too frequently ſent back again to the ſame market; and indeed they are often ſold on one ſide of Smithfield and *re-ſold* on the other.

anceſtors—The conſumption of fiſh, fowl, fleſh, &c. is amazingly encreaſed ſince the year 1742. About that time the butchers' bill, was about double the baker's, or at the utmoſt treble, which has encreaſed in a greater proportion ever ſince.

The *mania* of what is called improving the breed of cattle is truly laughable: would that it extended no farther; but the evil is a ſerious one—Fat Bullocks, fat Sheep, &c. is all the *rage*.—This has been very happily ridiculed in an Eſſay publiſhed in the *St. James's Chronicle*, Saturday, September 27, 1800, under the ſignature of "A Friend to real Improvement." The following is a tranſcript of the P. S. "I have now before me an article in a news-paper, ſtating, that at an Agricultural Meeting in Yorkſhire a man received the reward of *two guineas* for bringing up *twelve* children without pariſh aſſiſtance! There is *liberality!—two guineas* for *twelve children!*—What would he have had for *twelve Sheep* ſo *fat* that nobody could eat them?" (See Chap. XIII.)

The unexampled riſe in the price of Cheeſe is ſenſibly felt by the labouring part of the community, and loudly calls for the interference of the Legiſlature. (See Chap. I. IV. and XIV.)

I have been told, the principal Cheeſemongers in London have formed themſelves into a body; they are owners of many ſhips, which are employed between London, Liverpool and Cheſter; theſe ſhips are chiefly engaged in bringing up Cheeſe to London; their wealthy owners having factors in Cheſhire,

&c. who buy up the Cheeſe for them,* and lodge it in their warehouſes at Cheſter, &c.—At their weekly meetings they ſettle what quantity each ſhall have brought up to market—by this means they feed the market in ſuch a manner that they can command whatever price they pleaſe: and I believe it to be true, that if any perſon offers to have Cheeſe brought by any other veſſels, which are called *bye*-veſſels, they intimidate them by threatening never to bring any more for them. They endeavoured ſome years ſince to monopolize the whole ſhipping trade to thoſe places; and (if I am not miſinformed) they have now in part accompliſhed it, by carrying goods at lower prices than others can afford to do, indemnifying themſelves by an extra charge on the freight of Cheeſe, which they have totally ingroſſed. Should the Freighters, for the ſake of a little gain, ſuffer them completely to effect their purpoſe, they will be able in future (if they do not already) to make them pay what freight they pleaſe: and thus it appears they make an artificial ſcarcity of Cheeſe, and have done ſo for many years. It has been already proved, I think, that butchers' meat and fiſh are faſt approximating to a ſimilar ſtate.

The ancient critics made frequent uſe of a phraſe in winding up their judgment of any particular book, "*qui cautè legendus eſt*," in plain Engliſh, *ſuch a book ought to be read with caution.* I ſhall for the preſent adopt the ſame phraſe, with reſpect to

* This, to my certain knowledge, was the caſe at Leiceſter Fair in 1795 and 1796.

thoſe Agricultural critics who preſent us with the monthly reports of Agriculture—theſe reports muſt be read with caution. Theſe gentlemen would inſinuate that no man can ſee a field of Wheat, Barley, &c. in the ſame point of view with themſelves. Are there no intereſted perſons amongſt thoſe Reviewers? have they no friends to ſerve? I ſhall, however, preſent the reader with two of thoſe Reports; one in the beginning, and the other in the end of the year, in order to ſhew that the preſent high price of Grain, &c. cannot, according to theſe accounts, be attributed to the ſcarcity of that article. (See Chap. IV.)

Monthly Report for April 1800.

"Though the late rains have given the *Wheats* a yellow caſt, on heavy lands, they have checked the working of the worm and ſlug, and conſequently been beneficial, on the whole: the hoeing has, however, been ſo long retarded, that the crops, it is feared, will prove generally foul. The expected ſupply of Corn from the Baltic promiſes to reduce the exorbitant price of the Markets, which has never been juſtified by the public exigency. Government have unremittingly exerted themſelves, to provide for any real neceſſity, as well as to counteract the extortionate demands of our own Dealers: and the foreign ſupply they have ſecured, will, no doubt, anſwer both theſe eſſential purpoſes.—The *Spring Corn* has in every diſtrict a promiſing appearance;—the *Barleys* and *Oats* were ſcarcely ever known to plant ſo kindly—and every article of the pulſe kind looks well.—The *Rape*, and other ſmall ſeeds are

not expected to prove a great crop.—The ſhow of *Graſs* is every where abundant.

"SMITHFIELD Market having had ſeveral ſhort ſupplies, it has occaſioned an exorbitant riſe in the prices of all kinds of meat hitherto unknown. Prime *Beef* and *Mutton* ſold as high as 8s. per ſtone, and *Veal* ſtill dearer; but the abundance of feed, it is hoped, will ſoon cauſe a reduction in theſe neceſſary articles of human ſubſiſtence. The increaſe of the *Sheep* kind, by the late fall of *Lambs*, is large through all the breeding counties—*Lean Stock* of all kinds is plentiful, though the prices are kept up, from the quantity of growing feed.—The HOP plantations throw out plenty of bine, and promiſe to ſtock the poles well.

"The WOOL Trade is briſk, and on the riſe; more, it is ſuppoſed, on a ſpeculative idea of the Commercial Union with Ireland, than any increaſed demand in our own manufactories."

Agricultural Report for September, 1800.

"For the moſt part during the beginning of the month the ſeaſon continued favourable for the harveſt, and of courſe moſt of the grain, even in the northern parts of the kingdom, has been reaped and got into the barns or ſtacks in good condition. In the northern diſtricts we find that the wheat crops, though in ſome places rather thin upon the ground, have turned out remarkably full in the ear, and fine in the quality of the grain. The barley and oats are alſo very heavy crops, except in ſuch grounds as were

cold and wet in the ſpring months, where they are light, but much better than might have been expected under ſuch circumſtances. So great has been the crop of oats in the Fens, and that neighbourhood, that a farmer of Ipſwich, has offered a bet, that his produce of that grain upon 38 acres of land is 400 quarters, or upwards of 44 buſhels per acre. On Sept. 17th, 1279 quarters, and 34,942 bags of Wheat; together with 1582 barrels of flour had been entered within the laſt week at the Liverpool cuſtom-houſe from the Baltic and America. The importation of Corn at Newcaſtle likewiſe ſtill continues to ſo great an extent, that many dwelling-houſes are converted into granaries. Theſe appearances and importations ſeem, however, to have yet had but a trifling effect in reducing the very extravagant prices of grain.

"The turnip crops have in general been greatly improved by the late rains, and are extremely valuable, eſpecially on the more northern parts of the iſland, on account of the failure (or deficiency of the fog or after-graſs crops. Potatoes, on the dry and gravelly ſoils, have been much confined in their growth by the late very hot weather; but on other kinds of ſoil they are in general good. The fallows have, moſtly, been well prepared, and in ſome the wheat has been ſown, and almoſt every where the land is in a ſtate of readineſs for its being put into the ſoil.

"At Worceſter, Sept. 13, 68 pockets of new hops were weighed, prices from 17l. to 19l. per cwt. Yearling hops, of which 250 pockets were ſold, went

from 14l. to 17l. 10s. In Kent they are now very far advanced in their picking, which will, probably, generally close in the course of next week. The continued fine weather keeps the plant in full condition, although the hot sun upon the dew has taken off the brightness of colour. It is computed that they average 5 cwt. per acre. Upon the whole, the present liberal prices certainly makes it one of the most profitable seasons for the planter upon record. The duty is now doing at 72,000l.

"At Canterbury, Sept. 18, the first Hop Market for this season was held at the Fleece Inn, which was numerously attended, by both buyers and planters; many fine samples were produced, and very considerable business done, the buyers being very inclinable to purchase, and the sellers ready to accept the following prices: Bags 15l. to 15l. 15s. Pockets 16l.—17l. to 17l. 5s.

"Cattle. Fat stock still keeps to a high price, but lean cattle continue on the decline from the want of grass in many places. Fat sheep still sell well, but lean ones in general experience a dull sale. Lambs go off pretty well.

"Good horses continue to sell high, but those of the inferior kind have a dull sale."

To these reports I shall subjoin the following observations which I met with in *the St. James's Chronicle.*

"I cannot help adverting to the general inaccuracies of the *Monthly Reports of Agriculture.* They are hardly ever correct: almost always erroneous.

And perhaps there is no one more wide of the truth than the laſt.

"Much attention has been beſtowed this year by travellers to the ſtate of the Corn, particularly Wheat and Barley: and it is the opinion, not of a few perſons, but the general ſentiment, that a more abundant crop never covered the land. Men do not travel with their eyes ſhut; they have deeply inveſtigated the buſineſs. If the preſent crop is deficient, all former crops have been ſcanty.

"But the perſon who forms the *Monthly Reports* makes the Wheat produce very defective; he eſtimates it only about two-thirds. There are ſome perſons who, thinking themſelves wiſe, are yet fooliſh. Conſidering how much the attention of the nation has been lately, and now is, occupied with the high price of Corn, ought not both Farmers and Corn-dealers to infer, that the unavoidable conſequence muſt be a total change?—A change productive of a ſmaller diviſion of farms, and a change productive of a total alteration in the manner of vending their produce.

September 4, 1800. A, B."

The judges of the land availed themſelves of every opportunity in their juridical capacities, to exhibit the alarming effects of Regrating and Foreſtalling, and to lay down the law on theſe points in a clear and explicit manner that none might plead ignorance. Whatever fell from ſuch high authorities could not fail to make a deep impreſſion. At the Norwich

Aſſizes in the preſent year, Baron HOTHAM concluded an excellent charge to the Grand Jury, with ſome very appropriate and impreſſive obſervations on the practice of Foreſtalling, which he wound up with this delaration :—" That thoſe who dragged forth thoſe peſts of ſociety, and brought them to juſtice, deſerved the commendation of every part of the community."

Baron GRAHAM alſo in his charge to the Grand Jury of the county of Northumberland, at the laſt Spring Aſſizes, after touching on the uſual topics, entered at conſiderable length into the ſubject of Foreſtalling, Engroſſing, and Regrating. He lamented, along with other learned Judges, the repeal of certain ſtatutes, which had been ſuppoſed, by the commercial part of the world, to cramp and contract the internal trade of the country. This repeal, his Lordſhip obſerved, had induced many perſons to imagine they were at full liberty to purchaſe proviſions of all kinds in their way to the market, or in the market itſelf, and to ſell them again, in general, at an exorbitant profit. His Lordſhip, in a moſt impreſſive manner, urged to the Grand Jury the neceſſity of their earneſt attention to this ſubject, not only in their capacity of Grand Jurors, but alſo individually; and that they ſhould, by every means in their power, endeavour to put a ſtop to this growing evil—an evil which had gained ſo much ground of late years, and threatened very alarming conſequences; but which, he felt much gratified in perceiving, was now beginning to be viewed in its proper light, and would

ſoon, he hoped, be done away, to the great and laſting benefit of the community at large.

As Coals enter into all the neceſſaries of life, and may be ſaid in a degree to ſupply many, eſpecially in a ſevere ſeaſon, according to the old monkiſh poet:

Ignis dimidium eſt brumali tempore vitæ.

I thought I could not do leſs than lay down ſuch acts as were paſſed at different periods, for the regulation of the ſale, &c. of that "guiltleſs ore," as *Cleaveland** calls it, and which in point of uſe may well be preferred to the mines of Golconda. The veſſels employed in the Coal Trade amount, at the moment I am writing, to 71,903 tons. Surely ſuch an extenſive branch of trade demands the moſt ſerious conſideration of the Legiſlature, and I am glad to find that it was thought ſo by the Houſe of Commons in the courſe of thelaſt Seſſions; and it is to be hoped, that the valuable labours of the committee, on whom that important taſk devolved, will be taken into conſideration by the Houſe in the approaching Seſſions, and that ſuch regulations will be adopted and paſſed into a law, as will afford thoſe that are neceſſarily concerned in the trade a reaſonable profit, and bring the conſumption within the reach of the labouring mechanic, and the induſtrious poor.

When Mr. MANNING, firſt gave notice in the Houſe of Commons, of his intention to move for a Committee to inquire into the ſtate of the Coal Trade, Sir M. W. RIDLEY, with great liberality of ſenti-

* The poet.

ment, acceded to the neceſſity of ſuch an inquiry: he ſaid, he did not wiſh to throw the blame on any one body of men engaged in that trade; he lamented that the information which might be derived on that ſubject would receive a colour from the medium through which it would paſs, as the intereſted, who were in the ſecret, would be examined, and of courſe come well prepared. He truſted, however, that the good ſenſe of the Committee would defeat all ſiniſter views, and by that means arrive at the truth; which would enable the Houſe to take meaſures accordingly. The ſame precaution would, it muſt be confeſſed, apply to the evidence examined by the Committee on the Corn buſineſs. When an intereſted witneſs is examined, it requires more than common ſagacity to arrive at the truth.

I have introduced the trials and convictions of a few regrators, &c. as a mere *ſample* of the arts which are practiſed in the crooked line of Regrating, &c. I ſhould be glad to know what the Hon. *Daines Barrington* and Doctor *Adam Smith* would ſay if they were now alive, and heard of theſe trials: would the former wiſh that the good old reſtrictive laws ſhould be expunged from our ſtatute-books; and would the latter aſſert, that there was no more to be apprehended from monopoly than witchcraft? It is apprehended that they would lower their tone a little, and confeſs, that experience in the framing of laws was a ſurer guide than theory.

Let it not be underſtood that I wiſh to involve all that are concerned in the growth, ſale, and purchaſe

of grain, in one proſcription :—by no means; among them there are many

——————— on whoſe dilated breaſt
The heavenly dove of pity loves to reſt.

Many of the farmers in the preſent year have ſtepped forward in the cauſe of juſtice and humanity; and as to the nobility and gentry, they ſtand in no need of any praiſe that I can give; the approbation of their own conſcience will be the greateſt reward. Several corporate bodies, &c. have evinced, on many occaſions, the intereſt they felt, and it is hoped will always feel, in the happineſs of their fellow-ſubjects, in taking ſuch conſtitutional meaſures, as may tend to avert the viſitation of hunger, and all its concomitant miſeries.

The following was tranſmitted to the Author by a Friend:

Friday, April 18, 1766.

It is with the greateſt pleaſure we relate the patriotic behaviour of the inhabitants of Weſtminſter, near ſeven hundred of whom ſigned petitions in behalf of the public in general, and the poor in particular, to ſolicit relief againſt the oppreſſions of thoſe infernal harpies the Foreſtallers, Regraters, Monopolizers, &c.* of all ſorts of proviſions, by whoſe baſe practices every neceſſary of life is enhanced to ſo exorbitant a price, that even perſons in middling ſtations find it very difficult to provide a maintenance for their families; while the poor are abſolutely ſtarving: and it is to be hoped that this melancholy

* See page 223, &c.

truth will have the ſame good effect on the worthy citizens of London, who generally are wont to take the lead in all meaſures calculated for the good of the community, and none than which can be of a more intereſting nature.

December 16, 1786.

The Committee of Common Council appointed to inquire into the cauſes of the high prices of proviſions have publiſhed their report, in which they relate the ſeveral ſteps they had taken in this inquiry. They ſtate, that they received from the City Solicitor abſtracts of all the Acts relative to the practices of Regrating, Foreſtalling, &c.—of thoſe for the regulation of Smithfield and the other markets, and alſo of the ſeveral encloſing Acts ſince the year 1775. That they have held a correſpondence with the Magiſtrates of ſeveral corporations, and conſulted the moſt reſpectable butchers in Smithfield on the buſineſs. The reſolutions of a meeting held by theſe laſt are alſo added: they ſtate the practice of Foreſtalling by the Carcaſe Butchers as a principal cauſe of the high prices of meat.* The

* When the high price of any particular article of ſubſiſtence puts it out of the reach of the poor, it has always been deemed a matter of conſolation to be enabled to ſubſtitute ſome other leſs exorbitant, and amongſt thoſe of the above claſs, whoſe families, in general, are principally compoſed of children, *Milk* has been uniformly reſorted to on all trying occaſions; but alas! to the utter aſtoniſhment of every perſon, the Cow-keepers are no longer to be reſtrained from benefitting by the GOLDEN HARVEST which *Combination*, and its *conſequent enhancement of price*, enſures; and that at

reſolutions of the Committee go in general to the ſame effect. They complain of the practice of Foreſtalling at Mile-End, Iſlington, Kennington, &c. They propoſe that to remedy this evil a Committee ſhould be appointed by the Corporation for the purpoſe of controuling the markets—that only a licenſed number of Saleſmen ſhould be admitted; none of whom (to prevent colluſion) ſhould be Butchers or Graziers; that all cattle brought into Smithfield Market ſhould be duely entered, and a regiſter preſerved of the entries and ſales; that the hours of Sale ſhould be from four in the morning until two in the afternoon, &c.

October 23, 1795.

At a Court of Mayoralty held at Norwich on Wedneſday laſt the following memorial was directed to be tranſmitted to the members for that city:

"To the Right Hon. Henry Hobart, and the Right Hon. William Windham, Repreſentatives in Parliament for the City of Norwich:

a time too, when the ſeaſonable falls of rain have cauſed the fertile paſtures to appear in all their pride of abundance—for hardly ever was latter-math, or after-graſs, known to abound more than in the preſent autumn; but ſo prevalent is example, that in ſpite of every circumſtance in his favour, the Cow-keeper conceiving he has an equally *juſt* right with the various other deſcriptions of *tender-hearted, feeling* men to *honeſtly* profit by the extremity of the times, notwithſtanding its being clear to a demonſtration, that the profits upon each Cow are *prodigious*, and ſome of theſe *poor, diſtreſſed* Gentlemen are owners of ſix or ſeven hundred, or more.

" The Memorial of the Mayor, Sheriffs, and Aldermen of the ſaid City of Norwich.

" The dearneſs and ſcarcity of all kinds of proviſions, which have been gradually increaſing for ſeveral years paſt, are at length augmented to ſuch a degree as to become very ſerious and important objects in their preſent effects upon the great body of the people; and cannot but excite alarming apprehenſions for their future conſequences amongſt the labouring poor of every deſcription.

" Whilſt the general voice of the nation bears teſtimony to theſe diſtreſſes, they have been felt by the Manufacturers of this City with peculiar ſeverity, yet ſubmitted to with the moſt peaceable deportment.

" Under theſe circumſtances we deem ourſelves called upon, by a regard for the welfare and ſafety of the State, as Magiſtrates entruſted with the Police of a populous commercial city; as members of Chriſtian community, to make this repreſentation. And we do, Gentlemen, requeſt that you will, early in the enſuing ſeſſion of Parliament, bring forward and ſupport ſuch meaſures as may have the moſt probable tendency to reduce the preſent exorbitant price of every neceſſary of life; eſpecially we would earneſtly ſolicit your attention and exertions to obtain for your country that dignity, proſperity, and true glory, which can only be obtained by the Reſtoration of Peace." *

* The printed Report of the proceedings of the Committee of the City of London in 1786, reſpecting the cauſes of the high

I am ſorry that I don't feel myſelf authorized to mention the name of a worthy Member of Parliament, with whom I am happy to be acquainted, who ſold his Wheat in June laſt for 31*l.* a load, ſtating at the time, that his feelings were much wounded from even taking that price; whilſt his neighbours ſold theirs for 36 and 37*l.* a load.—And I am alſo acquainted with other Members, who, to their ſhame, did not follow the humane example of the gentleman I have juſt alluded to. *

price of proviſions at the time, contains letters addreſſed to the ſaid Committee from the Mayors, Magiſtrates, and others in different parts of the kingdom, ſtating at large their ſentiments, "That there then exiſted no ſcarcity of any kind of proviſions in their diſtricts, and that the then preſent high price was occaſioned by the artifice of deſigning men of large property, (meaning Farmers, Millers, Mealmen, and others,) in keeping back goods from a regular market, and aſſiſted by Foreſtalling, Regrating, and Engroſſing."

The following were ſome of the names affixed to thoſe letters:

John Wiſe, Mayor, Stafford,
H. Swan, Mayor, Lincoln,
J. Sharpe, Deputy Mayor, Warwick,
J. White, Deputy Mayor, Wincheſter,
Edward Buſhell Collibee, Beachen Cliff,
Thomas Sibthorpe, Guildford,
J. Watton, Mayor, Yarmouth
George Pax, Town Clerk, Wells City,
Richard Read, Devizes,
Thomas Provaſt, Perth,
W. Hicks, W. Huddleſtone, Whitehaven.

* It may be aſked why an individual ſhould endeavour to preſcribe regulations for the Purchaſe or Sale of Corn, &c.—I anſwer, becauſe it is the bounden duty of every man, whether in or out of office, to offer ſuch hints as in his opinion may contribute to the ſafety and happineſs of the public weal—There are many cauſes which concur in raiſing the price of Grain. I will mention a few—

The following hint is thrown out for a ſubſcription to lower the extravagant price of Meat:—If a ſum ſufficient to purchaſe ſome hundreds of Cattle was to be ſubſcribed, and permiſſion obtained to import them from Ireland, &c. and then to graze them in ſome of his Majeſty's foreſts, or other ſuitable paſtures. They might be purchaſed when lean at a cheap rate, and diſpoſed of at Market, under proper regulations, ſo as to leſſen the price of Butchers' Meat.

HAVING now, at the expence of my health and domeſtic concerns, laid ſuch documents before the reader as, in my opinion, might conduce to the elucidation of the ſubject,—I ſhall only ſay, that if it ſhall be found that I have contributed in any degree towards the completion of a code of Corn Laws, &c. founded on the immutable principles of juſtice and humanity, I ſhall feel myſelf amply repaid.

Every honeſt man, and well-wiſher to the peace and happineſs of his country, muſt deprecate whatever may furniſh even the pretext of tumult and diſorder, as the fatal conſequences of an enraged multitude, when common ſenſe and reaſon give up the reins to paſſion and reſentment, are incalculable. The good people of England, ſenſible of the bleſſings

Inland navigation, the good condition of the turnpike roads—as it is well known the facility of conveyance enables the Monopolizer to ſeize upon a greater quantity at once than he otherwiſe would be able to do—but the worſt of all is, the conſolidation of ſmall Farms—and it were to be wiſhed that the Members of our Senate would paſs an Act to prevent a practice, which I am much afraid has extended to themſelves.

which they enjoy under the laws of their country, have, till late, maintained that ſober, ſteady character which they may be ſaid to have inherited from their anceſtors, and which it is hoped they will hand down unimpaired to their poſterity—becauſe, on reflection, they muſt be ſenſible that riot and miſrule have uniformly tended to encreaſe that evil which they wiſhed to avoid—they muſt be ſenſible that the guardians and diſpenſers of the laws will never ſhut their ears to well-founded complaints. They have had ſeveral inſtances of the well-timed humanity of individuals, who viſited want when it could not viſit them; who have wiped away the falling tear; and who, in the language of Job, became *eyes to the blind, and feet to the lame*—and ſuch, it is hoped, will be always found in this country—And now, ye Farmers,

——Think, oh! grateful think,
How good the God of Harveſt is to you,
Who pours abundance o'er your flowing fields.
——the various turns
Of Fortune ponder, that your ſons may want
What now with hard reluctance faint ye give.

THOMSON.

Think of the conſolation it will afford you in your laſt moments, that the heart-felt gratulations of the poor will aſcend before you to the Throne of Grace. But once more, I ſay, "woe unto you that join houſe to houſe, that lay field to field till there be no

place, that they may be placed alone in the midſt of the earth." *

But, alas! what avail our golden ſuns and waving harveſts; what does it avail if the clouds drop fatneſs on the plains, and our Grain ſhould be as abundant as the ſand upon the ſea-ſhore, if a few men, "curſt with hearts unknowing how to feel," are permitted to graſp at the whole—what avails it, I ſay again, in the ſtrong, but expreſſive language of an able writer, "that our fields ſtand ſo thick with Corn that they laugh," if cunning and fraud are permitted to triumph over juſtice and humanity. Let the Legiſlature proceed in the noble and patriotic taſk of correcting the abuſes which have crept in ſince the repeal of the Laws againſt Engroſſing, &c. then all will be well again—then Plenty will reſume her wonted reign—For ſure,

"A fairer iſle than Britain never Sun
View'd in his wide career! a lovely ſpot
For all that life can aſk, ſalubrious, mild:
Its hills one green, its woods and proſpects fair!
Its meadows fertile, and to crown the whole
In one delightful word, it is our home—our native Iſle!" †

* Iſaiah, Chap. V. v, 8.

† *Cottle's Alfred.*

The following are the STATUTES *which have been enacted relative to* Foreſtalling, Regrating, *and* Ingroſſing, *moſt of which are repealed by* 12 *Geo. III.*

59 Hen. III. ſt. 6. § 3.
Hen. III. Edw. I. or II. c. 10.
23 Edw. III. c. 6.
25 Edw. III. ſt. 4. c. 3.
27 Edw. III. ſt. 2. c. 11.
2 Rich. II. ſt. 1. c. 2.
6 Rich. II. ſt. 1. c. 10.
11 Rich. II. c. 7.
1 Hen. IV. c. 17.
14 Hen. VI. c. 6.
25 Hen. VIII. c. 2.
2 & 3 Edw. VI. c. 15.
3 & 4 Edw. VI. c. 21.
5 & 6 Edw. VI. c. 14.
5 & 6 Edw. VI. c. 15. (made perpetual 13 Eliz. c. 25.)
2 & 3 Phil. & Ma. c 3.
5 Eliz. c. 5.
12 Eliz. c. 12.
13 Eliz. c. 25.
31 Eliz. c. 5.
21 Jam. I. c. 22.
13 & 5 Will. and Ma.
31 Geo. II. c. 40.

The following is a List of the greater Part of the STATUTES *which have been passed from the Reign of Hen. III. to the present Time, relative to the* Prices, Exportation *and* Importation, &c. *of* Grain of every Description:—

The price of Wheat, Barley, and Oats, how to be inquired of, 51ſt Hen. III. ſt. 6.

Corn ſhall not be ſold heaped, except Oats, Malt, and Meal, *Ordin. pro piſtor. incerti. temp.* c. 9. vol. 1. 187.

Price of a buſhel of Wheat ten-pence, 25th Ed. III. ſt. 1. c. 1.

Meaſure of Corn ſhall be ſtricken, without heap, 25th Ed. III. ſt. 5. c. 10.

Exportation of Corn prohibited, 34th Ed. III. c. 20. 1 and 2. P. and M. c. 5.

Eight buſhels of Corn or Malt, to the quarter, 15. R. 2. c. 4.—1 H. V. c. 10. § 2.—11th H. VII. c. 4.

Exportation of Corn permitted, but the Council may reſtrain it, 17th R. II. c. 7.—4th H. VI. c. 5.

Exportation permitted when it does not exceed the price mentioned, 15th H. VI. c. 2.—20th H. VI. c. 6.—23d H. VI. c. 5.—1 and 2. P. and M. c. 5.—1ſt El. c. 11. § 11.—5th El. c. 5. § 26.—13th El. c. 13.—35th El. c. 7. § 23.—2d James I, c. 25.

§ 26.—21ſt James I. c. 28. § 3.—3d Car. I. c. 4, § 24.—12th Car. II. c. 4. § 11.—15th Car. II. c. 7. —22d Car. II. c. 13.

Importation prohibited when the Corn does not exceed certain prices, 3d Ed. IV. c. 2.

Contents of the meaſure of a buſhel of Wheat, 12th H. VII. c. 5.

Corn ſhipped in the *Severn*, to be brought to *Briſtol*, 34th and 35th of H. VIII. c. 9. § 3.

Dealers in Corn, &c. and drovers to be licenſed by the Juſtices, 5th and 6th Ed. VI. c. 14. § 7, 12, 16.—5th El. c. 12.

In what caſes Corn may be regrated or ingroſſed, under certain prices, 5th and 6th Ed. VI. c. 14. § 12. 13.—5th El. c. 12. § 7.

Juſtices of Peace to compel thoſe who cut down Corn growing, to make ſatisfaction, 43d El. c. 7.

Corn and Salt to be ſold by *Wincheſter* meaſure, 22d Car. II. c. 8. § 2.

Additional Duty on *French* Barley, 22d Car. II. c. 13. § 3.

Corn, &c. not to be ſold, without meaſuring, 22d and 23d Car. II. c. 12. § 2.

Juſtices, and Mayor, and Aldermen in *London*, may determine the price of Corn, with reſpect to exportation, &c. 1ſt James II. c. 19.—2d Geo. II. c. 18.—5th Geo. II. c. 12.

Bounty granted on exportation of Corn, not exceeding the prices mentioned, 1ſt W. and M. c. 12, and c. 24. § 18.—2d Geo. II. c. 18. § 4.

Where Corn exported from *Berwick*, entitled to bounty, 1ſt W. and M. c. 24. § 18.

Prohibited to be exported for one year, 10th W. III. c. 3.

Suſpenſion of the bounty for one year, 11th W. III. c. 1.

Corn may be exported, duty free, 11th and 12th W. III. c. 20.

When the Collector of the Port has not money to pay the bounty, it ſhall be paid at the *Cuſtom-Houſe*, in *London*, 12th and 13th W. III. c. 10. § 93.

Corn may be conveyed on the *Thames* by *Tranſires*, 1ſt Ann. ſt. 1. c. 26. § 1.

Fees on ſmall quantities, 1ſt Ann. ſt. 1. c. 26. § 2.

Bounty on Oatmeal and Bigg exported, 5th Ann. c. 29. § 10.

On Malt exported, 5th Ann. c. 29. § 15.

Exportation of Corn reſtrained for a time, 8th Ann. c. 2. and 11.

What to be deemed the price of Corn, when Juſtices do not certify, 2d Geo. II. c. 18.

Corn entitled to bounty to be meaſured, 2d Geo. II. c. 18. § 4.

Grand Juries at Seſſions to preſent the price of Corn, 5th Geo. II. c. 12.

Imported Corn not to be carried coaſtwiſe, 5th Geo. II. c. 12, § 5.

Penalties of whipping, &c. on riotouſly hindering the exportation of Corn, 11th Geo. II c. 22.

Deſtroying Corn in Granary or Ship, tranſportation, 11th Geo. II. c. 22. § 2.

The damage to be ſatisfied by the Hundred, 11th Geo. II. c. 22.

Exportation of Corn prohibited for a time, 14th Geo. II. c. 3.

No export for one year, 15th Geo. II. c. 35.

The bounty on ground Corn to be regulated by weight, 24th Geo. II. c. 56.

Intereſt to be paid on Debentures for the bounty of Corn exported, 26 Geo. II. c. 15.

Prohibited to be exported before 25th *December*, 1757, 30 Geo. II. c. 1. except to the *Iſle of Man*, 30th Geo. II. c. 9. § 13.

Corn, &c. to be imported for a limited time, duty free, 30th Geo. II. c. 7, & 9, § 14 & c. 14.

Corn and other Victuals prohibited to be exported from the Plantations during the war with *France*, 30th Geo. II. c. 9.

The making low Wines or Spirits from any ſort of Grain prohibited for two months, 30th Geo. II. c. 10, till 11th *December*, 1757, 30th Geo. II. c. 15.

No export till 24th *December*, 1758, 31 Geo. II. c. 1.

Corn-market eſtabliſhed at *Weſtminſter*, 31ſt Geo. II. c. 25, § 1.

Forms of the returns of prices of Grain, 31ſt Geo. II. c. 29, § 11.

Penalty of adulterating Corn, Meal, or Flour, 31ſt Geo. II. c. 29, § 22; explained and amended by 3d Geo. III. c. 11.

Magiſtrates may ſearch Mills, Bakehouſes, &c. 31ſt Geo. II. c. 29, § 29.

The laſt Act repealed after 25th *March*, 1759, 32d Geo. II. c. 8.

No export till 24th *December*, 1759, but ſubject to alteration, 32d Geo. II. c. 2.

Appropriation of penalties for adulterating Bread, 32d Geo. II. c. 18.

For other matters—ſee BADGERS OF CORN, BRANDY, BRISTOL, CONSTABLES, FELONIES, WITH AND WITHOUT CLERGY, GAME, MALT, VACATIONS, WIGHT, ISLE OF.

No bounty on export or duty on import of Wheat, &c. for a limited time, 5th Geo. III. c. 31.

The King and Council may prohibit the exportation of Wheat, &c. during the next receſs of Parliament, 5th Geo. III. c. 32.

Mayor and Aldermen of *London* may determine the prices of Corn in the months of *January* and *July*, as well as in *April* and *October*, yearly, 6th Geo. III. c. 17.

For indemnifying all perſons adviſing or acting under the Order of Council, laying an embargo on all ſhips laden with Wheat or Wheat Flour, 7th Geo. III. c. 7.

A certain quantity of *Bigg* allowed to be exported annually from the *Orkneys*, 9 Geo. III. c. 41, § 10.

Weekly returns of the prices of Grain to be made and publiſhed in the *Gazette*, 10th Geo. III. c. 39.

See Man, *Iſle of*, 19.

Importation of Corn and Grain from *America* for a limited time, duty free, 6th Geo. III. c. 3.

Importation of Oats and Oatmeal, for a limited time, 6th Geo. III. c. 4.

Corn, Grain, Malt, Meal, &c. prohibited to be exported for a limited time, 6th Geo. III. c. 5.

The prohibition of the exportation of Corn and other Grain continued, 11th Geo. III. c. 1, § 1, 25; 12th Geo. III. c. 1, § 1.

This prohibition not to extend to Corn, &c. carried coaſtwiſe, 11th Geo. III. c. 1, § 4; nor to exports between *Great Britain* and *Ireland*, *Gibraltar*, *Minorca*, the *American* Colonies, the *Eaſt Indies*, &c. *idem* § 5, 6, 7, 8, 9, 10.

For the free importation of Wheat, Wheat Flour, Rye, Rye-Meal, and *Indian* Corn, for a limited time, 12th Geo. III. c. 33.

The importation of Wheat, Wheat flour Rye, Rye-meal, Barley, Barley-meal, Oats, Oatmeal, Peas, Beans, Tares, Callivancies, and all other ſorts of Pulſe from any part of *Europe* or *Africa*, allowed, duty free, for a limited time, 13th Geo. III. c. 1.

The importation of Wheat, Wheat Flour, *Indian* Corn, *Indian* Meal, Biſcuit, Peaſe, Beans, Tares, Callivancies, and all other ſorts of Pulſe from his Majeſty's Colonies in *America*, allowed for a limited time, duty free, 13th Geo. III. c. 2.

The exportation of Corn, Grain, Peaſe, Beans, Meal, Malt, Flour, Bread, Biſcuit, and Starch, prohibited for a limited time, 13th Geo. III. c. 3.

The duties on the importation of Grain, regulated according to their prices at market, 13th Geo. III. c. 43, § 1.

Limitation of prices, at or above which Grain is prohibited to be carried out of the kingdom, 13th Geo. III. c. 43, § 5.

This prohibition not extended to ſhips' proviſions, nor the ſupply of foreign garriſons, 13th Geo. III. c. 43, § 6.

The bounties on the exportation of Grain altered, 13th Geo. III. c. 43, § 11.

For other matters—ſee BREAD, DISTILLERS, ORKNEY ISLANDS, and SCOTLAND, Title *Corn*.

A limited quantity of Corn allowed to be exported annually from the Port of *London* to the Sugar Colonies, 14th Geo. III. c. 5, § 1.

Such exported Corn to receive the bounty when intitled to it, 14th Geo. III. c. 5, § 3.

The allowance of exporting Corn, &c. from *Southampton* to *Guernſey* and *Jerſey*, by the Act 13th Geo. III. extended to the Iſland of *Alderney*, 14th Geo. III. c. 5, § 4.

A limited quantity of Biſcuit and Peaſe allowed to be exported to *Newfoundland*, for the benefit of the fiſhery, 14th Geo. III. c. 11.

A limited quantity of Wheat, Oats, &c. allowed to be exported to *Hudſon's Bay*, for the benefit of the *Hudſon's Bay* Company, 14th Geo. III. c. 26.

Prices of Corn and Grain exported how to be regulated, 14th Geo. III. c. 64.

Indian Corn and Maize permitted to be imported, under certain reſtrictions, 15th Geo. III. c. 1.

The 13th Geo. III. c. 43, extended to the port of *Preſton*, with reſpect to the importation of Wheat, Rye, &c. 16th Geo. III. c. 42.

The Act 16. Geo. III. c. 37. allowing the exportation of certain quantities of Wheat and other articles to his Majeſty's Sugar Colonies in *America*, &c. farther continued, 17th Geo. III. c. 28.—18th Geo. III. c. 45, § 8. 19 Geo. II. c. 22. § 6.

The Act 10th Geo. III. c. 39. for regiſtering the prices of Corn, farther continued, 17th Geo. III. c. 44. § 2.

Certain quantities of Wheat, Flour, Biſcuit, and Peaſe, allowed to be exported to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*, 18th Geo. III. c. 16.

Corn, Grain, and Flour, allowed to be imported, duty free, under ſpecified reſtrictions, 18th Geo. III. c. 25.

Wheat, Flour, &c. may be imported at *Cowes*, duty free, ſubject to the regulations in 13th Geo. III. c. 43. 19th Geo. III. c. 29.

So much of the Act 16th Geo. III. c. 37. as allows the exportation of Wheat, &c. to the Sugar Colonies, farther continued, 20th Geo. III. c. 19. § 4.

Exporters of *Britiſh* Corn, in veſſels belonging to ſtates in amity with *Britain*, intitled to half the bounty, 20th Geo. III. c. 31.

The Act of 20th Geo. III. c. 31, allowing a bounty on the exportation of *Britiſh* Corn and Grain in neutral ſhips farther continued, 21ſt Geo. III. c. 29, § 12. 22d Geo. III. c. 13, § 6.

For farther regulating and aſcertaining the importation and exportation of Corn and Grain within ſeveral ports and places, 21ſt Geo. III. c. 50.

Wheat, *Wheat Flour*, and all other ſorts of Corn and Grain allowed to be imported upon payment of the duties in the recited Act of 13th Geo. III. c. 43. 23d Geo. III. c. 1.

Additional Duty of five *per cent.* laid on the amount of the above duties, *ibid.*

His Majeſty empowered, during the receſs of Parliament, to iſſue his Proclamation for allowing the importation of Corn into certain counties in *Scotland* for a limited time, 23d Geo. III. c. 53, § 3.

For preventing the exportation of Corn, &c. with a bounty, during the operation of the laſt two Acts, allowing the importation thereof, 23d Geo. III. c. 81.

See CUSTOMS.

The Act 10th Geo. III. c. 39, for regiſtering the prices at which Corn is ſold in the ſeveral counties of *Great Britain*, farther continued, 26th Geo. III. c. 58. § 9.

So much of 16th Geo. III. c. 37, as allows the exportation of Wheat, &c. to the ſugar colonies in *America*, and of 25th Geo. III. c. 69, as relates to the exportation of Wheat to thoſe colonies from *Lancaſter*, farther continued, 27th Geo. III. c. 36, § 2. 28th Geo. III. c. 23, § 5.

So much of the Act 21ſt Geo. III. c. 50, as relates to chuſing two Cornfactors by lot, and requires their appearance at the Quarter Seſſions, repealed 29th Geo. III. c. 58, § 1.

Oath required to be taken by Cornfactors, *idem, ibid.*

Inſpector of Corn Returns to receive from every Cornfactor in *London*, &c. weekly returns of Corn, brought into the *Thames*, eaſtward of *London* bridge, and ſold by him in the preceding week, *idem*, § 2.

The average prices of Corn formed from the weekly returns, how to be certified, *idem*, § 4.

When Corn may be imported into *London*, *Eſſex*, *Kent*, and *Suſſex*, on payment of the low duties, *idem, ibid.*

Bounty on the exportation of Corn, how to be regulated and paid, *idem*, § 5.

Maritime counties, how divided into diſtricts for the purpoſes of this Act, *idem*, § 7.

Weekly returns of the prices of Corn, how to be made up for ſuch diſtricts, *idem*, § 7, 8, 9.

Oath to be taken by inſpectors of the prices of Corn, *idem*, § 10.

When Corn may be imported into the ſeveral diſtricts, on payment of the low duties, *idem*, § 13.

Exportation in the ſeveral diſtricts how to be regulated, *idem*, § 14.

Millers dealing in Corn to deliver weekly accounts of Corn received, *idem*, § 20. Oath to be taken by them, § 21.

No debenture for bounty on Corn to be granted, while ſuch Corn is imported at the low duties in the ſame diſtrict, *idem*, § 22.

Grain to be computed by the *Wincheſter* buſhel, *idem*, § 24.

Inſpectors to receive allowances as Quarter Seſſions ſhall direct, *idem*, § 25.

See Greenock, Plantations, Rape Seed.

All perſons concerned in adviſing or executing certain orders of council reſpecting the exportation or importation of Grain, indemnified, 30th Geo. III. c. 1, § 1.

Wheat, &c. exported or ſhipped for exportation, forfeited, *idem*, § 3.

Articles allowed to be exported to the ſugar colonies, *idem*, § 5.

Foreign Corn legally warehouſed, may be exported, *idem*, § 6.

Duration of this Act, *idem*, § 12. 30th Geo. III. c. 42.

The Acts 30th Geo. III. c. 1, and 30th Geo. III. c. 42, amended, and farther continued, 31ſt Geo. III. c. 4.

All Acts, and all proviſions in every other Act, regulating the importation of Wheat, &c. repealed, 31ſt Geo. III. c. 30, § 1, 2.

Bounties allowed on the exportation of Wheat, &c. according to a preſcribed table of prices, *idem*, § 3.

Bond to be given for due exportation, *idem*, § 5.

Table of prices, at or above which exportation is prohibited, *idem*, § 7.

Penalty on exporting Wheat, &c. contrary to this Act, *idem*, § 8.

Table of the quantities of Wheat, &c. allowed to be exported annually to certain places, from certain ports, for the uſe of the inhabitants, *idem*, § 10,

Bond to be given in theſe caſes, § 11. Caſes in which the King in council, when Parliament is not ſitting, may enlarge ſuch exportation, § 14.

Inhabitants of *Guernſey*, &c. may tranſport directly to *Newfoundland*, &c. for the uſe of the fiſhery, the Wheat allowed to be imported into thoſe iſlands, *idem*, § 12.

Corn may be exported to *Ireland* during an embargo on the exportation thereof from that kingdom, under certain regulations, *idem*, § 13, 16.

Table of prices, according to which, high or low duties are to be paid on importation, *idem*, § 15.

Regulations under which imported Corn may be warehouſed without payment of duty.

Foreign Corn imported, not to be exported when *Britiſh* Corn is not allowed to be exported, *idem*, § 20.

Corn not to be carried coaſtwiſe from any port, where Corn is not allowed to be exported at the time, and be landed at any port, whence the ſame may then be exported, *idem*, § 21. Penalties, § 23.

Regulations for the importation of Corn at certain ports in *Scotland*, and its conveyance by the *Forth* and *Clyde* canal, *idem*, § 26, 27, 28, 29, 30.

The Maritime counties of *England* divided into diſtricts, for aſcertaining the prices of Corn, *idem*, § 31.

As alſo the counties in *Scotland*, *idem*, § 32, 33.

The exportation and importation of Corn at the port of *London*, to be regulated by the prices at the Corn Exchange, *idem*, § 34.

Regulation of the office of Inſpector of Corn Returns, *idem*, § 34, 45.

Declaration to be ſubſcribed by Corn Factors in *London*, *idem*, § 38.

The exportation and importation of Corn, how to be regulated in other diſtricts, *idem*, § 47.

Appointment and duty of Inſpectors, *idem*, § 48, 54. Their oath, § 64.

Declaration to be ſubſcribed by dealers in Corn for ſale, *idem*, § 53.

The exportation and importation of Corn, how to be regulated in *Scotland*, *idem*, § 57. Duty of the Receiver of Corn Returns there, § 60, 61.

Where the accounts of the prices of Corn are to be ſeverally taken, *idem*, § 62.

King in Council may prohibit the exportation of Corn during the vacation of Parliament, *idem*, § 70, and permit the carrying Corn coaſtwiſe, § 72.

Collectors of Cuſtoms to tranſmit weekly to Receivers of Corn Returns, accounts of Corn ſhipped or brought coaſtwiſe at their reſpective ports; who are, every three months, to tranſmit an account thereof to the Commiſſioners of the Cuſtoms, *idem*, § 80.

All Corn to be meaſured by the *Wincheſter* buſhel, *idem*, § 82.

All Acts in force for ſecuring the revenue, to extend to this Act, *idem*, § 85.

Penalties how to be recovered and applied, *idem*, § 87.

Determination of Juſtices to be final, *idem*, § 88.

All perſons concerned in adviſing or executing an order of council reſpecting the exportation of Wheat and Flour, indemnified, &c. 33d Geo. III. c. 3, § 1.

His Majeſty in Council may permit importation or prohibit exportation, &c. *idem*, § 5, 6, 8.

Certain clauſes in the 31ſt Geo. III. c. 30, repealed, 33d Geo. III. c. 65, § 1.

Duty of Receiver of Corn Returns, *idem*, § 2, 3, 4, 5.

King in Council may prohibit or permit importation, &c. of foreign Corn for home conſumption, in certain caſes, *idem*, § 6, and the carrying of Corn coaſtwiſe, § 8.

Orders of Council for ſuch purpoſes to be laid before Parliament, *idem*, § 10.

How Malt may be carried coaſtwiſe, *idem*, § 12.

And Seed Corn, *idem*, § 13.

Regulations for the exportation of Oatmeal, *idem*, § 15, 16.

When limited quantities of Corn may be exported to *Hudſon's Bay*, *idem*, § 17. And to *Sierra Leone*, § 18, in times of war, &c. § 19.

Regulations for importation into *Scotland*, *idem*, § 21.

During the preſent war, and for ſix months after, the Lords of Trade may, when the exportation of Corn is prohibited, allow larger quantities than thoſe ſpecified in 31ſt Geo. III. c. 30, to be exported to the *Weſt Indies*, 34 Geo. III. c. 71.

The King in Council may prohibit the exportation of Corn, and permit the importation of foreign Corn, or the taking foreign Corn out of warehouſes for home conſumption, duty free, 35th Geo. III. c. 4, § 1.

Penalty of exporting or importing contrary to ſuch prohibition or permiſſion, *idem*, *ibid.*

The King may likewiſe permit the carrying coaſtwiſe, or exportation of Corn, for the purpoſes mentioned in 31ſt Geo. III. c. 30, § 72, and 33d Geo. III. c. 65, *idem*, § 8.

To prohibit the exportation of Corn, Meal, Flour, and Potatoes, and to permit the importation of Corn, and other articles of proviſion, in any ſhips whatever, without payment of duty, 36th Geo. III. c. 3. Farther continued, 37 Geo. III. c. 7.

Penalty of hindering the buying of Corn, or of ſtopping or ſeizing it on its paſſage, 36th Geo. III. c. 9, § 1.

Hundred may be ſued for damages, *idem*, § 3.

Bounties granted on the importation of Corn, &c. for a limited time, 36th Geo. III. c. 21, § 1.

At what ports ſuch Corn, &c. muſt be imported, *idem*, § 3. 36th Geo. III. c. 56, § 1.

Corn warehouſed where no bounty is allowed, may be removed coaſtwiſe to where it may be entered for bounty, 36th Geo. III. c. 21, § 10.

Corn imported to obtain bounty, and found unfit, may, by licence from Commiſſioners of Exciſe, be uſed in making ſtarch, &c. or in diſtillation, 37th Geo. III. c. 7, § 7.

So much of the preceding Act as prohibits the importation, exportation, or carrying coaſtwiſe of Barley, Beans, Oats, &c. repealed, 37th Geo. III. c. 83, § 1.

His Majeſty in Council may allow additional quantities of Wheat, &c. to be exported to *Guernſey*, *Jerſey*, and *Alderney*, 37th Geo. III. c. 125. Revived and continued, 38th Geo. III. c. 29.

So much of the Act 37th Geo. III. c. 7, as relates to the exportation or carrying coaſtwiſe of Wheat, Rye, Flour, &c. or to the importation of Bean, &c. farther continued, 38th Geo. III. c. 10.

See DISTILLERS.

Bounty allowed on the importation of Wheat, Wheaten-flour, and Rice, till October 1, 1800; 39th and 40th Geo. III. c. 29. and likewiſe on Oats till the above time; c. 35.—alſo on Rye till October 15; c. 53.

Corn prohibited to be exported and permitted to be imported; 39th and 40th Geo. III. c. 58.

IT was the intention of the Author to have added as an Appendix, a Series of Letters, written at different periods, and inſerted in the Reading Mercury, and other periodical publications, in January and June 1796, and Auguſt 1799, &c. but having already far exceeded the limits he originally propoſed, he will reſt with briefly obſerving, That thoſe Letters particularly advert to the evils which the nation has ſo generally united in deploring, but which were then felt in a comparatively ſmall de-

gree; yet, viewed through the perſpicuous medium of unbiaſſed reaſon, were diſtinctly beheld as approaching in all the awfulneſs in which we ſee them at the preſent moment; remedies were ſuggeſted for averting thoſe impending calamities; and, without aſſuming too much to himſelf, the Author is ſtill more convinced from experience and obſervation, that if the ſuggeſtions alluded to had been then adopted, the cauſes which have impelled him to publiſh theſe ſheets would have never exiſted. Should he now be more ſucceſsful in his recommendation of a curative for thoſe long neglected and accumulating evils, he flatters himſelf with the idea of receiving the beſt of remunerations—the gratulations of an honeſt, though truly diſtreſſed, and almoſt deſponding people; the lower claſſes of whom no longer find their hard-earned pittance commenſurate to the object of procuring the neceſſaries of life.

From the impreſſion made by this unfavourable complexion of the times, the Author cannot conclude without again remarking how forcibly the Legiſlature is called upon, even by the loud and imperious voice of hunger and deſperation* to extend its effective arm to the redreſs of thoſe grievances, by which the great body (the labouring part) of the nation are ſo unmercifully and cruelly galled,—and then ſhall we feel ourſelves again poſſeſſing that decided

* The public prints of late have not been ſcant of inſtances of people dying through mere want; whilſt others, not able to ſupport their hard deſtiny, have ruſhed unbidden into the preſence of their Maker.

pre-eminence over all other Europeans ſo long enjoyed by our anceſtors, whoſe chief care was ever to lighten the burthens and alleviate the diſtreſſes of the middling and lower orders of the community;—then ſhall we ſee our fleets and armies replete with Volunteers in fact and *principle*, not being driven into the glorious ſervice of their country, as the only alternative to ſave them from ſtarvation;—and then might Emperors, Kings, and Conſuls, unite their efforts and ſtratagems, but unite in vain, for the brave defenders of Britain would be Britain's genuine ſons, —fighting for their homes, endeared by their comforts;—fighting for their laws, revered for their juſtice and clemency;—and, more than all, fighting for their Rulers, the diſpenſers of both law and comforts, whom they would be ambitious to obey and ſerve, even with their lives, and with their all.

THE END.

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ERRATA.

Page	Line	
1,	23,	for *remedy* read *remedies.*
8,	19,	— *their value* read their *former* value.
9,	5,	— *except* farmers read *and* farmers.
209,	6,	— *laxitude* read *laxity.*
210,	12,	— *accoſted* read *attacked.*
278,	9,	— Mr. Juſtice *Le Blank* read *Le Blanc.*